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East India Co. - East India Co.

other instances of error and mismanagement, the Company have been obliged with

THE Friends of Mr. HASTINGS, wishing to convey to the

Proprietary at large as full an Account as possible of the Pro-

ceedings which took place at the East India-house on Thursday

last, beg Leave to submit to them the following Papers: They

contain as accurate and candid a State of the Arguments and

Facts which were laid before the Court, as the Nature of the

Subject will admit of.

IV. Resolved, That it is the opinion of this Court that a steady per-

formance in the system of conduct so judiciously enjoined by the Court, of

The following Resolutions were come to by the Court of Directors,

Thirteen to Ten, on Tuesday, the 22d of October, 1782.

I. RESOLVED, That the orders sent by the Directors to their

servants in India to abstain from schemes of conquest and extension

of dominion, and to confine their views to a system of defence, forbidding

all unnecessary interference in the quarrels of the country powers, or the en-

tering into new engagements with them in offensive alliances, recommending

at the same time preservation of peace, and the maintenance of an inviolable

character for moderation and good faith, by a steady adherence to treaties,

were founded in wisdom and sound policy, and entirely consonant to the

interests of the Company and the nation.

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H. R.

II. RESOLVED, That it appears to this Court that a contrary system of policy has been adopted and pursued by the Company's servants in India, in ~~disobedience to those well-advised orders of their superiors, whereby they~~ have involved themselves in unpolitic and contradictory negotiations, promoted and entered into offensive treaties, and carried on unnecessary and complicated wars, attended with an enormous expence; and by these and other instances of erroneous conduct, the Company have been loaded with large and heavy debts at all their settlements, and our national influence and reputation declined throughout Hindostan, whilst these measures have given birth to combinations among the country powers, dangerous to the safety of the Company's territories.

III. RESOLVED, That it is incumbent on this Court to give a decisive confirmation to that system of conduct enjoined by the Directors, and heretofore ratified by a General Court; and in order to quiet the minds of the native princes in Hindostan, and to restore confidence, and to shew the sincerity of our intentions, that an immediate stop be put to a system of policy so ruinous in its consequences to this Company and the Public.

IV. RESOLVED, That it is the opinion of this Court that a steady perseverance in the system of conduct, so frequently enjoined by the Court of Directors, cannot be expected from those servants whose ideas of extension of dominion, either by negotiation or conquest, have led them to depart from orders so often enforced; and therefore that it is expedient to remove Warren Hastings Esq. the present Governor General of Bengal.

*To the Honourable the Court of Directors of the United
East India Company.*

GENTLEMEN,

OUR solemn official oath of admission into the direction, by which we bound ourselves, in every instance, to counsel, advise, and act to the best of our judgment for the interest of the Company, obliges us, in discharge of a painful but necessary duty, and under the strongest impressions of conscientious conviction, to protest, as we now do, against the measure of removing from the government of Bengal, at this particular juncture, Warren Hastings Esq. the present Governor General.

FIRST. Because we do in our consciences believe, that Mr. Hastings has for many years been a most active, faithful, and able servant to the Company.

SECOND. Because, while the political affairs in India continue in their present unsettled state, a sudden removal of the Company's first immediate representative would, in our opinion, add greatly to the general confusion.

THIRD. Because we hold Mr. Hastings to have abilities and integrity equal to those of any man whom we might choose for his successor, together with more extensive experience, more local knowledge, and more personal weight throughout India, than is possessed by any subject of Great Britain; and therefore we esteem him the best qualified negotiator for a general peace.

FOURTH. Because we by no means admit that the recall of Mr. Hastings would tend to quiet the minds, or to restore us the confidence of the native princes of Hindostan, supposing those minds now agitated, and that confidence already impaired.

FIFTH. Because we hold the Maratta war to have originated at Bombay, in the treaty with Ragobah, and to be no otherwise connected with Mr.

Hastings's conduct, than in his efforts to prevent the prevalence of French influence at Poonah, by which we conceive him to have rendered a most important service to the Company and the nation.

SIXTH. Because the war in the Carnatic is clearly defensive, and therefore not unnecessary; nor do we allow that our negotiations, as they concern Mr. Hastings, have been impolitic; and we utterly deny that our national influence and reputation are declined throughout Hindostan, as every dispatch brings fresh proof of their extension.

SEVENTH. Because, admitting the orders of this Court to their different settlements to have been constantly and consistently absolute in prohibition of all schemes of conquest, we still think that the Company's partial approbation of particular incidents in the course of the present war, such as their ratification of the treaty with Ragobah, of the expedition to Poonah, and of the march of Colonel Leslie's detachment from Bengal, tended to a tacit admission of its general propriety.

EIGHTH. Because moreover it appears to us, that the system of Indian politicks is, from internal causes, liable to constant and unavoidable fluctuation, through the clashing interests of the native powers, and the interference of European nations, so that no possible plan can be laid down for our governments abroad, so comprehensive and well modelled as to enable them at all times, and under all circumstances, to preserve an inflexible neutrality.

NINTH. Because the resolutions of this Court, on which Mr. Hastings's proposed removal is founded, do not advance any specific charge against him, much less afford a shadow of proof that he is the sole author, or even the principal adviser, of the measures therein condemned.

FINALLY. Because our last dispatches give us reason to conclude that a peace is at this instant settled with the Mahrattas by Mr. Hastings's negotiation;—because he has found resources for the Company's exigencies

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cies abroad in the very moment when many of their confidential servants pronounced them to be irrecoverably ruined;—and because every dispatch affords us some fresh proof of his merits to the Company.

East India House,
Oct. 24, 1782.

W. BENSLEY,

THO. CHEAP,

CHA. BODDAM,

JOHN HUNTER.

Mr. Darell's Protest.

THE Court of Directors having come to a resolution this day, “to remove Warren Hastings Esq. from the office of Governor General of Bengal;” and the only reasons assigned are, that his “ideas of extension of dominion, either by negotiation or conquest, have led him to depart from the orders so often enforced,”—without pointing out any one instance in which he has actually departed from the said orders:—As I am convinced it would not have been possible for any person, in his situation, to have adhered more strictly to the orders of the Court of Directors than he has done, I think a resolution past in this manner, oppressive and unjust.

But I should feel myself undeserving of the confidence of my constituents, if I did not protest against the removal of Mr. Hastings at this particular juncture, as I do not believe there now exists his equal, in ability, disinterestedness, and anxiety to promote the welfare of the Company. A recent instance is now before us; I allude to the letter received a few days ago from the Governor General and Council of Bengal, dated April 8, 1782; in which it appears that his extraordinary, unparallelled exertions, at a most critical period, and at a time that it was generally imagined his resources

were

were totally exhausted (it appears), that during the course of seven months, from the 1st of August, 1781, to the 1st of March, 1782, he had supplied Fort St. George in money, bills and grain, to the amount of current rupees — — — — — 107,43,756

And had supplied Bombay from the 1st of May, 1781, to the 1st of March, 1782, — — —

36,46,159

He had realized that year an investment for Europe, to the amount of — — —

147,67,300

And further expected to realize, in about three weeks from the date of the letter, to the further amount of — — —

35,00,000

Exclusive of the investment that the Dutch had provided, which we have possession of, and will be sent home this year, amounting to

17,50,000

200,17,300

It is true, so long and extensive a war in different parts of India, the chief burden of which has fallen on Bengal, has increased our debt there to the amount of 200,00,000; but I have not a doubt, that when once peace is restored, if Mr. Hastings is not recalled, it will decrease more rapidly than it has increased during the war: and the weight of it has not oppressed us here in England; as, during Mr. Hastings's government, he has never drawn on the Company beyond the limits allowed by an act of parliament made during a time of profound peace at home and abroad: and this letter of April 8 last, particularly mentions his intentions of drawing on us this year to the amount of only 18,47,630. ^{Current Rupees.} With these facts before us, and every province under Mr. Hastings's government in as perfect tranquillity as they ever were during profound peace, I cannot help expressing my surprize at this hasty resolution to recall him.

A moment's reflection on the *series of substantial services* that Mr. Hastings has rendered to us, and to this kingdom, ever since his accession to the government

government of Bengal in 1772, to the present time, are further motives for my dissenting, in the strongest manner, to his removal; these services I endeavoured to express in Court this day, during the debates on this subject, and which I think it my duty now to submit to paper.

In 1772, the Company owed for the postponed payments £1,500,000; to discharge which, a loan of £1,400,000 was advanced by government; since which (previous to the 1st of March, 1781) the above sum has been paid, and the bond debt reduced to £1,387,000, and other standing debts paid off, to the amount of £315,620*, making together the sum of £3,202,600, exclusive of dividends, and other current payments.

These payments I attribute chiefly to the exertions of the government of Bengal, during the time Mr. Hastings has been in the chair: as a proof of which, I will here state a few facts, which, I think, carry conviction.

		Seasons in England.	£.
Investments received from Bengal	}	from 1766 to 1772 inclu. 7 years,	4,671,607
Ditto Ditto		1773 to 1779 Do. Do.	6,397,538
Supplied other settlements more than received from them	}	Seasons in India. from 1765 to 1771 incluf. Do.	1,889,673
Ditto Ditto		1772 to 1778 Do. Do.	2,493,734
Bills of exchange and certificates drawn from Bengal on England	}	from 1766 to 1772 Do. Do.	1,785,755
Ditto Ditto		1773 to 1779 Do. Do.	1,217,192
Balance realized in England from	}	Mar. 1, 1767 to 1773 Do. Do.	3,685,472
Ditto Ditto		Mar. 1, 1774 to 1780 Do. Do.	5,123,892

* Government last half year per agreement.
Bank, old bullion debt

115,620.
200,000.
£ 315,620.

Balance

Balance in Bengal <i>per</i> quick stock, dated March 26, 1773,	£ 508,660
Do. Do. last received <i>per</i> Swallow, dated Dec. 29, 1781,	2,201,000
Balance of annual account in 1774	195,240
Ditto Ditto in 1782	3,900,000

I therefore do most solemnly protest against the removal of our Governor General, Warren Hastings Esq. against whom there is no specific charge; and who has rendered, and still continues to render, most essential service to the Company.

October 22, 1782. L. DARELL.

To the Honourable Court of Directors of the India Company.

Queen's Square, the 24th Oct. 1782.

GENTLEMEN,

I Want words to express my astonishment at the determination of the majority of our Court of the 22d instant, on the resolutions handed to us by our very worthy Chairman and Deputy, for each of whom no Gentleman can possibly entertain a higher regard than myself, and therefore when I differ from them in opinion, it gives me a sensible mortification.

Any comment on those resolutions coming from me may appear invidious; but bound as I am in duty, both to my constituents and myself, I cannot suppress my apprehensions of the pernicious consequences, of which I am persuaded they will be productive. They convey to my mind little more than a panegyrick on ourselves, and on those who have preceded us; and instead of proving a single iota of criminality on the Governor General, Warren Hastings, Esq. they seem to me to amount to this only: "It is our will and pleasure to remove this valuable servant of the Company; nor do we think it necessary to produce a single specific charge in support of a measure of so much consequence."

Is this, Gentlemen, the reward due to such eminent services? Is there a gentleman in this Court who is not ready to acknowledge, in a superlative degree, his merits, abilities, and fidelity, and (what, in so eminent a station, must form a particular and distinguishing feature in his character) the disinterested principles of honour and integrity, which, during a service of thirty years and upwards, evidently appear to have influenced his conduct, and point him out as possessing an utter abhorrence of the *qui sacra fames*.

But I shall not attempt to delineate his character; it is too well known to need any encomium from me; and, indeed, it is my opinion that the whole Proprietary ought rather to feel themselves happy in having such a defender and assessor of their rights and interests, than to acquiesce in the unmerited return for his long and faithful services, which is intended.

I shall only beg leave to add, that even had *Reasons* been urged for his removal, the present is a very improper and ill-timed juncture for the adoption of such a measure; as, by our late advices from Bengal, there seems the greatest reason to believe, that, at this moment, all divisions may have subsided, and the Company's affairs have been happily settled, upon such a permanent footing as may reflect the greatest honour on himself and Council, and have been productive of the inestimable blessings of peace.

In order, therefore, to testify my utter disapprobation of removing Mr. Hastings, it is my desire that this letter may be recorded on our minutes.

With much esteem I remain,

GENTLEMEN,

Your very humble servant,

JOHN MANSHIP.

and many important acquisitions obtained from our European enemies.

To the Honourable Court of Directors of the East India Company.

GENTLEMEN,

THE measure of removing Warren Hastings, Esq. from the office of Governor General, in the present conjuncture of the Company's affairs, appears to me, upon the fullest consideration, so dangerous in its consequences, that I should think myself wanting in my duty if I omitted to enter my dissent against it.

My reasons for this dissent are,

FIRST. Because I have not been able to discover, from the records of the Company, that Mr. Hastings stands justly chargeable with having disobeyed the orders of the Court of Directors, in the part which he has taken in the Maratta War; but on the contrary it appears clearly to my conviction, that the general tenour of his instructions from home have both encouraged and authorized him to prosecute that war and to obtain possession of Salsette and Bassin, which seem to have been its principal cause and object.

SECOND. Because the acknowledged abilities and local experience of Mr. Hastings render him better qualified, in my humble opinion, than any other person at this crisis, to maintain the Company's political importance and prosperity abroad, and to bring about that system of peace so much desired.

THIRD. Because the removal of Mr. Hastings might not only be the means of frustrating the well-grounded expectations given us by our late dispatches of his being able to conclude a general peace with the country powers, but at this very critical juncture it might occasion such a convulsion in India as would be fatal to the interest of the Company.

FOURTH. Because, through the spirited and unexampled exertions made by Mr. Hastings, the Invasion of Heyder Alli has been severely checked, our valuable settlements on the coast of Coromandel have been preserved, and many important acquisitions obtained from our European enemies.

FIFTH.

Fifth. Because no man, even with the same talents and zeal, without the like experience and knowledge of the country, which Mr. Hastings possesses, could find, as he has done, the vast resources necessary for such an extensive scene of war, and for so ample a supply of the Company's investment.

Sixth. And lastly, Because during a period of twelve years, in very trying and difficult situations, Mr. Hastings has performed the most eminent services for the Company, with an integrity which is every where acknowledged to be unimpeachable.

I have the honour to be,

GENTLEMEN,

Your most obedient servant,

JN. TOWNSON.

East India House,
24th Oct. 1782.

After the Protests, Governor Johnstone opened the business of the day, by desiring the dispatches lately received might be read, which was accordingly done; and then he addressed the Chairman, as nearly as we can recollect, as follows:

Mr. Chairman,

I am one of those who presumed to call the Proprietors together, and I have already explained the private intelligence which induced me so to do. This intelligence has been now fully vindicated by the official dispatch you have read; but the recent resolutions come to by the Court of Directors for dismissing Mr. Hastings, the principal of those servants, to whom I wished to offer thanks this day, renders it vain to propose marks of approbation to a part of them, while he is no longer at the head of our service, or rather while his relative existence with respect to us, stands suspended. It will therefore be necessary on my part to new model the motion I had intended, and to make it so comprehensive as to apply to the Minutes of the Court of Directors, as well as to the intelligence we have just heard.

I should rise under greater apprehensions in opposing this resolution of the Court of Directors, if it had been carried by numbers so unequal as to shew it was the general sense of the Court; or if it had been determined upon without the exertions of undue influence; or if the Court of Directors had not themselves been parties in the dispute. But when I consider the efforts which have been made from the concurring causes of resentment, ambition, party spirit, and the recent interposition of the minister in a manner so very unusual, I am so far from blaming the Court of Directors, or using any reproachful terms in stating the reasons for proposing a motion to rescind their resolution, that I must admire their virtue in withstanding artifice, temptation, and authority, applied in such various ways to shake their opinions. However respectable they may be as a body and as individuals, they are still endowed with the passions of other men; and the effort, after such a struggle, with the bias of the opinion of the House of Commons hanging on their minds, however irregularly this was obtained, that Ten men should be found out of twenty-three to oppose the resolution for dismissing Mr. Hastings, is much more wonderful to my mind, than that a majority of Three should be found to yield on such a question. When I consider likewise that the members of this respectable minority are not satisfied with giving their vote in the usual way for opposing the measure, but have also entered their Protests in the manly, forcible language they have used, replete with the strongest reasoning, without the slightest tincture of party spirit, willing that posterity and the whole world should judge of their arguments and their motives, I am desirous to acquit their brethren of any weakness they may have shewn in this contest in favour of the incorruptible virtue which has appeared in their associates. There is another pleasure I draw from the Protests which have been read, and this I state without any invidious comparison of men or their talents: that all those Directors who have served in India, who are intimately conversant with the scenes under consideration, have given their opinions not only for acquitting Mr. Hastings, but in bearing testimony to his great merit in those very transactions which form the substance of his accusation. The difficulty therefore that I feel arises from another

another cause than that of opposing the Court of Directors; it is from a consciousness of my own inability of adding any thing to the reasons they have already offered: however, as I have turned my mind to the subject, and as I think it the duty of those accustomed to speak in publick to give their support to the sentiments of men whose conduct is so meritorious, I shall proceed, and lay before the Court such thoughts as have occurred to me, much more in the hope of fortifying others in the sentiments they must have already formed from the judicious Protests they have heard, than adding any further conviction to their minds, which must be already complete.

I am fully conscious of the awful situation in which I now stand, in proposing a resolution that shall militate against the opinion of the House of Commons; but, happily, the ground upon which the Court of Directors have chosen to dismiss Mr. Hastings, enables me to oppose one resolve against another, and to balance the account. At the same time it is happy for us in many instances, when heat and party spirit enter into the deliberations of that assembly, that their resolutions are not to be considered as law. Mr. Hastings holds his situation by a legislative tenure, that of an act of parliament; and it is vain and presumptuous in those who pretend he can be dispossessed by the hasty opinions of a single branch of the legislature.

Mr. Hastings is an executive officer of the state, as well as of the East India Company; yet so strongly did the framers of those acts of parliament for regulating our affairs in India, see the necessity of holding out a stable government to the inhabitants of that part of the world, that the proprietors were abridged of a principal part of their privilege, in displacing their servants at their pleasure; nor was that prerogative given to the Crown: how much less then shall we allow, that a vote of the House of Commons should have this effect, even supposing it had been past after hearing the defence of the party accused? But when we know that the ordinary forms of proceeding had been violated in this instance; that the Select Committee, as well as the Secret Committee, had withholden their proceedings even from members

members of their own body ; in short, that the accused was never heard in his defence ; that it was pretended the proceedings of the Committees, or the resolutions of the house in consequence, were only to be considered as the proceedings of a grand jury finding the charge, which was afterwards to be tried upon the evidence to be produced ; I am still led to hold the resolution of the House of Commons lighter in my mind, except where the facts would equally have affected me, supposing such resolutions had never been passed.

By the language of all the active members in bringing forward these resolutions in parliament, I have a right to consider myself as a petit jurymen on this occasion, which right I mean freely to exercise ; and if the preceding resolution of the House of Commons is to have any weight on my mind, I am not in a fit disposition to give a verdict. If I have the power of condemnation or acquittal according to my vote, I must be left free to exercise my judgment according to the evidence that may be produced. If I am not left at liberty to acquit as well as condemn, it is unfit I should place myself in the seat of justice, and we ought all to retire from this assembly. The vote of the House of Commons therefore, stating, " That it is the " duty of the Directors to dismiss Mr. Hastings," will have no other influence on my mind, than that of inducing me more carefully to examine every particular before I pass judgment on the occasion. The constitution of the East India Company as it is now formed, intermixed with affairs of state, calls upon the Proprietors to be more cautious in the exercise of the few privileges which are left to them ; but it is far from calling upon us tamely to desert them, or ignominiously to adopt the opinions of others as resolutions of our own ; like the decrees of the Roman senate, retaining the expressions and forms of the republic, when the power had been long wrested from them, and they could only be considered as the registers of the sentiments of others. I wish to give the proposition I shall offer to the Court so calm and deliberate a discussion, that I am desirous of avoiding every thing sharp or acrimonious ; and yet I cannot pass in silence the undue influence which has been attempted to be exercised in closetting the
Judges

Judges after the resolutions of the Court of Directors had been tabled. I wish to hear what those joyful promulgators of the virtues of our new ministers will say in excuse for their conduct. Every one must remember with what indignation I was treated for doubting their declarations and promises not to interfere in the management of the affairs of the Company; but I must acknowledge that during the strongest doubts of their sincerity, I never thought they would have proceeded to the indecent lengths which they practised a few days ago. The disposition we should bring into this assembly is to hear with patience, examine with impartiality, and to pronounce with firmness. We are upon the trial of a man who has served this Company in arduous situations for many years: the honour of the Company, the property of the orphan and the widow, our dearest privileges, nay the honour of the nation, and the dignity of every individual member of the Court, depends on our decision. We should in particular guard against the evil effects of popular assemblies, too frequently affected by any reverse of fortune, and blaming their best commanders, who cannot always command success; while, on the other hand, we are to avoid every factious attachment to particular persons, however splendid their names. These are the sentiments with which I desire to consider the resolutions of the Court of Directors before us; and the first remark I shall make upon them is, that they deal too much in complimentary phrases to themselves, and keep entirely to general assertions, without daring to grapple with particular facts. As to the first remark, it induces me, in deference to their acknowledged modesty, to believe the resolutions were not drawn by themselves: and, as to the second part, there needs no more with a man of sense to convince him that no actual charge could be found where such powerful bodies of men have been sitting in scrutiny for so many months, brooding over our misfortunes, and yet have stated nothing specific, and at last come forth with these crude, undigested, mellifluous resolutions, so full of policy, wisdom, and good faith at the beginning, and so contrary to every rule of justice in the conclusion.—As the sentiments are general, and the expressions vague, it becomes necessary to sift them, and force the promoters of those resolutions to join issue in some point upon which we can agree. The accusations against Mr. Hastings contained in

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the resolutions may be reduced to two heads; That he has engaged the Company in complicated wars and negotiations; and, That he has lost the confidence of the natives.—It is his lot to meet with a series of contradiction in the language of his opponents: they admit he is a man of great ability, infinite resource, much experience, and a perfect knowledge of the politics of India; and yet they tell us he is unfit to be at the head of our affairs in a crisis of such danger as this. When you come to ask their objection, they tell you his projects are too wild, and his ideas too vast, or in other words, that he is a wild projector. Gentlemen who reason thus annex ideas to the word Ability very different from those which I assign. What I understand by ability is; that of applying the proper means to obtain the end proposed; to compare the dangers and advantages, to foresee the risks and the resources, to possess fertility of expedients in cases of misfortune, and to apply every precaution to avoid those accidents to which all human actions are liable. But to call a wild projector a man of ability, is, in my opinion, a solecism in language; and therefore the opponents of Mr. Hastings must either renounce their exordiums, or abandon their charge. The Court of Directors have larded their introduction with every species of gentleness and moderation; but they have baited the conclusion with gall and venom.—It is admitted on all hands, that the general instructions of the Court of Directors were fair and peaceable; but it is not from general instructions we are to judge of the conduct of political societies, but from their particular injunctions, and the application of their rules, when applied to practice. The most merciless tyrant clothes the preamble of his decrees with superabundant expressions of goodness. The late Empress of Russia, having made a ridiculous declaration upon ascending the throne, that she would not take away the life of any of her subjects, and afterwards, having occasion to exercise some feminine resentments, begins her sentence in these terms: “We, from our great humanity, and the affection we bear for our subjects, “having declared, upon ascending the throne of our ancestors, that we “would not deprive any of our subjects of the life which God hath “bestowed; and taking into our Imperial consideration the atrocious “crimes which the said prisoners, A. B. and C. have committed, instead

“ of

“ of that death which they justly merited, in our tender mercies we do
 “ order, first, that their legs and their arms be severed from their bodies;
 “ and afterwards, that their remaining trunk be confined in a dungeon
 “ during life.” It is so trite an observation of the parson who preached the
 most moral sermon and practised the vilest debaucheries, and whose flock
 always became worse, that I am ashamed to mention it to this Court.
 “ The people, said he, should never mind what I do, but attend to what
 “ I say.” Unfortunately for preachers of every kind, mankind attend
 much more to what is done than what is said; but if this be true in
 morals, it is infinitely more necessary in politics, where declarations are often
 made on purpose to deceive. Let us then apply this reasoning to the par-
 ticular orders of the Court of Directors. Unnecessary wars and complicated
 negociations, can only apply to the Maratta war, the war with Hyder
 Ally, and the negociations consequent to both. As to the war with the
 Marattas, from whence all the other evils are reducible, it is certain it
 began at Bombay, in consequence of the standing orders of the Court of
 Directors to seize every opportunity of gaining possession of Salsette and Bas-
 sein. Their words are very singular; “ We cannot point out the particular
 “ means, but we would rather they could be obtained by purchase than by
 “ war.” Is not this fairly acknowledging, that if they cannot be obtained
 by purchase, they would hazard a war to acquire them? Now, that such a
 favourable opportunity by the convulsions at Poonah offered itself, when
 Ragobah took shelter with us, every one must admit: we did not make the
 commotion; it was therefore fair, in politics, to seize the opportunity.
 Though we have been unfortunate in supporting Ragobah, I must still
 think, with the Court of Directors, that his pretensions to the Peshwahship
 was better founded than those of his competitors; and upon every view of
 the subject, I think the Governor and Council were vindicated by their
 instructions, and by the general policy of states, considering their situation,
 and the losing settlement that Bombay has hitherto proved, to enter into the
 engagements. This was the opinion of the Court of Directors, upon being
 informed of the event. This was their opinion subsequent to the treaty of

Poorunder. It is true, that the Government General of Bengal, including Mr. Hastings, disapproved of the treaty with Ragobah, as impolitic and unjust; and the majority deputed Colonel Upton to make peace with the Marattas, which was accordingly done; but this very peace, now so much held forth as the leading object of all our politicks in the East, was reprobated by the Court of Directors, and censured in terms very seldom used to servants who are continued in authority.

Both the Presidencies of Bombay and Bengal, are directed "to seize the slightest pretence of provocation from the Maratta States," or "the smallest article of noncompliance in their engagements, to break the treaty of Poorunder, and to conclude a treaty with Ragobah, on the terms formerly agreed upon," which, say they, "are entirely consonant to our own ideas." After such instructions as these, how it is possible for the same body of men who signed them, or at least the greatest part, to impute the second or subsisting Maratta war to Mr. Hastings, is beyond my comprehension. But this is not my opinion only; it is the unanimous opinion of the House of Commons, who say, in their Resolutions;

" 16. That it appears that the Court of Directors, by their letters to Bengal of 5th February, and to Bombay of 16th April, 1777, manifested some dissatisfaction at the terms of the treaty of Poorunder, as it had not procured for the Company the surrender of Bassein, and gave very strong encouragement to both Presidencies, to seize the slightest pretence of provocation from the Ministers to renew their engagement with Ragobah.

" 17. That it appears that the propositions of the Governor General, recorded on the 26th January 1778, were evidently founded on these sentiments of the Court of Directors, contained demands on the Maratta administration greatly exceeding the conditions of the treaty of Poorunder, and opened the first design of sending a detachment from Bengal to the Malabar coast."

By reading those resolutions, it may be alledged that I am willing to give weight to the resolutions of the House of Commons, when they operate for the

the opinion I would support; but deny them the same consequence when they apply against me. To obviate this, I must here observe, that those resolutions respecting the Directors were passed unanimously; that they are founded not in deduction or inference, where men can differ in opinion, but stated as incontestable facts, chapter and verse, from the records of the Company. Neither were they ever controverted by any of the Directors then sitting in Parliament when they passed, and some of them were members of the very Committees who drew the resolutions; whereas that respecting Mr. Hastings was warmly opposed. A man's own evidence may be taken against himself, and yet there is no inconsistency in denying that authority, when it applies against others.

The Committees of the House of Commons were evidently hostile to Mr. Hastings, and drew their principal information from the bitterest enemy they could have examined, "where wounds of deadly hate had pierc'd so deep." I consider this question as one, upon the determination of which the privileges of this General Court will depend. The House of Commons has extended its finger beyond the sphere of its authority, to try the pulse of the Proprietors. When I remember the case of Lord Strafford, my mind is fortified to make our stand here—He too was prosecuted by the Council of York, the Irish Parliament, and the English House of Commons, with enemies equally keen and ingenious to direct the shafts of their malice; particular charges could not be proved, and general charges were adopted. When the King yielded his consent to the bill of attainder, he declared to the world his own insignificance, and the little dependance there could be placed upon him, and, in some measure, he signed his own death warrant. If we submit to this mandate of the House of Commons, where our own conviction does not follow, we shall equally stand contemptible, and merit the alienation of our rights, which must soon follow. Mr. Hastings has been tried by the Secret Committee, the Select Committee, and the House of Commons, and is now pursued by the minister. What the historian says of Lord Strafford, future ages may apply to him, if this vote (contrary to my

belief) should pass against him: "Thus were drawn forth upon the stage of the world the united efforts of three kingdoms against the single resistance of one man, unprotected by power, unassisted by counsel, unpremeditated in reply; yet as far as justice, truth, or reason had any weight, he appeared infinitely superior to them." Such is the judgement of future ages upon that transaction, which cost that statesman his life: let us beware we are not included in a similar reproach, by yielding our judgements to the authority of others, where it is notorious men were biased in the determination, and that several of the judges were looking to enjoy the very offices they were to render vacant by their votes. I think we have had examples enough of the effects of that narrow spirit which supposes that no merit can exist except in those who are connected with their party. We recalled Admiral Rodney in the moment of his triumph; we have made other changes at home and abroad; but mankind seem now to be waked from their delirium, and to see the bad effects of such a conduct, and the vanity of such empty boasters. Let us give an example to the world, that, in this scene of universal confusion and charlatanery, the East India Proprietors have retained the just exercise of their understanding, and that whoever has served them faithfully may depend upon a fair and candid trial, nor would they ever be so far shaken by misfortune as to commit injustice. It is clear to every man who has considered this subject, that the misfortunes of the Company come from the convention of Worgam, the invasion of the Carnatic by Hyder Ally, and the defeat of Colonel Baillie.

Now will any man rise up and impute any of those misfortunes to Mr. Hastings? or, will any man say he has not used every means in his power to remedy the evils springing from them? I have not learnt such an accusation from any of his foes. When you press them close on the subject, they tell you of the Rohilla war, and the late transaction with Cheyt Sing. With respect to the Rohilla war, I cannot allow that to come under consideration; Mr. Hastings has been tried, censured, and forgiven by the Proprietors more than six years past—His Majesty's ministers have twice filled up the name of

of Governor General in two several acts of parliament since that transaction with the name of Hastings, and they have sanctified by their approbation all the subsequent letters from the Court of Directors. It would be more cruel than the execution of Sir Walter Raleigh, who had only a pardon by implication; yet how do mankind shudder at that transaction? Respecting the extraordinary subsidy of Five Lacks demanded from Cheyt Sing, which has been condemned by the House of Commons and the Court of Directors, I am convinced their sentence has proceeded from not understanding the nature of the Mogul Government. The Proprietors will observe that the Sovereignty of Benares is in the Company. The tribute is settled to a peace establishment. The terms restraining further demands are in their nature limited to that situation. Where the exigencies of the state demand further supplies, the supreme power must have authority to require them. It is the only mode of laying a farther tax in Indostan; and a man might as well plead a grant from the Crown for paying a pepper corn to exempt him from the land tax, as Cheyt Sing hold up the grant of his zemindary to exempt him from the general contribution. We are landlords to Cheyt Sing, as proprietors of his zemindary; and for its usufruct he pays us a stipulated rent: we are his immediate sovereigns as representatives of the Nabob Vizier, and we demand a tax in consequence of our being the Government. I grant that this, as well as every other power lodged in the supreme authority, is liable to abuse, and it is our duty strictly to examine. The question is, Whether necessity vindicated the contribution which was asked? or, Whether it was exorbitant? or in short, Whether the discretionary prerogative was wantonly or oppressively applied? In my conscience, I think the five lacks the Rajah refused to pay was not only reasonable but moderate, considering the extent of the province: what happened subsequent, by enforcing this contribution, I have not minutely examined. We all know that military execution is the only mode of enforcing even the payment of rents in that country. It is cruel to try a man upon the quiet scenes of peace, sitting in a cool corner four thousand leagues distant from the theatre of action. Historians think Marshal Turenne unpardon-

unpardonable for burning the Palatinate; and yet the wisest officer and the most humane man thought it necessary. I do not here pretend to give any judgment upon the late advices respecting Cheyt Sing—they have not been laid before us, neither do they form any part of the present accusation. What I am throwing out is only to prevent gentlemen from forming hasty opinions till they hear the whole matter; but so far I must observe, as somewhat very strange in judicial proceedings, that this affair of Cheyt Sing, which the opponents of Mr. Hastings endeavour to lay the greatest stress upon, came to their knowledge after their resolution to condemn him had passed; neither have they chosen to include it as the cause of the present resolutions of the Court of Directors now under our deliberation. But granting that Mr. Hastings was possessed of that vast ambition and restless mind which his adversaries have lately imputed to him, it does not follow from thence that he ought to be removed at this particular period, when the scene of action is so complicated and extended, that the greatest genius might find sufficient exercise. By proving that a man is unfit for scenes of peace, it by no means follows that he is unfit to conduct the operations of an extensive war. We know, in the history of our own country, that the greatest character it has produced declared himself unfit for the business of peace. The great Duke of Albemarle was not employed in the ordinary acts of the administration; yet, when the fire of London confounded and amazed this great city, he was armed with a species of dictatorial power. When the Dutch insulted our coasts, he was found the fittest man to chastise them; and when the plague had sunk the spirits of all other men, he was found to possess the most unshaken understanding.

In these resolutions of the Court of Directors, they have been advised by some false friends to desert the ground on which alone their own conduct can be justified; namely, by maintaining that the orders they sent respecting Ragobah, and the treaty of Poorunder, and the resolution of retaining Salsette and Bassein under every circumstance, was wise, politic, and proper, at the time the orders were issued; and that nothing but a chain of unforeseen events could have frustrated their views. So I think the late
ministers

ministers and their friends equally weak in their conduct, in condemning the Court of Directors for the letters they sent; which, we must suppose, had the sanction of their approbation, as all letters are laid before them.— We are told the national honour has been lost by not fulfilling the convention of Worgam, by seizing the Guntoor Sircar, and stopping the tribute payable to the Nizam; but in the name of justice I demand, whether any man will accuse Mr. Hastings as being the author of any of those acts; and whether any man will now rise up in the Court and say, if he had been in the situation of Mr. Hastings, he would have confirmed the articles of that convention? No doubt, every breach of promise by which you gain, though impelled by force, is disagreeable to the human mind, and leaves a painful reflection; especially in war, where we are in the situation to force and to be forced, and therefore constraint cannot violate a military engagement like those of civil life. But the question turns upon the old dispute, how far delegates are permitted to engage. The most approved writers on the law of nations do not think the Romans were wrong in the conduct they held upon the submission of their army at the Caudin Forks; and if, as I have been told, and as Mr. Hastings was assured by General Carnac, that before he entered into the engagement with the Maratta Chiefs, he had acquainted them he had no authority to bind his principals to the extent they demanded, the matter is less injurious to the reputation of our country. But it is to be remembered, that the other members of the Supreme Council were equally ready to declare, they would not fulfil the convention of Worgam; in this opinion Mr. Francis was as decided as Mr. Hastings.

I am far from meaning to throw any reflections on this rival to Mr. Hastings. Whoever wishes to see a display of human genius in the greatest extent, has only to read the minutes of both those Gentlemen: there is nothing which has come within my knowledge that does greater honour to the human mind; and every one must lament, that such uncommon abilities could not have been united for the benefit of their country. And here it must ever be remarked, that in judging of the execution of the schemes of Mr. Hastings, we must always make allowance, that the opposition of Mr.

Francis operated like a drag chain upon all his plans. No doubt such dissension in the Supreme Council must have had the most baneful effects upon the officers of the East India Company, as well as on our foreign connections. When matters proceeded to such inveterate lengths, it is in vain to suppose that the consequences were not most fatal to our affairs; and the turn they have taken since unanimity was established at that board, must make the observation more forcible. Dissention in times of peace, by obliging a thorough examination into every subject, and forcing men to yield to each other, is often productive of that just medium or composition from whence the order of good government is deduced. But in time of war it must ever prove destructive, and much more so in so small a cabinet as that of Bengal, possessing both the legislative and executive authority, and in a country founded on the principles of despotism. This is so apparent, that the most jealous and the freest people have made it a part of their institutions, to deliver their defence into the hands of a Dictator in times of such exigencies.

We have universally concurred in imputing a great part of our misfortunes to the dissensions in our Supreme Council; and yet, when we have got the unanimity we have been deprecating so often, and begin to feel the good effects upon the very first news in consequence, when the drooping stock begins to rise Ten per cent, it is at that moment we resolve to change our councils, against the general sentiments of the Proprietors, to send out strangers to conduct our affairs, and to sow the seeds of discord for years to come, without even waiting a further dispatch to know the success or disappointment of the important measures which are on the point of conclusion. These are the measures so replete with policy, wisdom, and moderation. How this last term came to creep into the resolutions of the House of Commons, respecting the conduct of the East India Company, and why the Lord Advocate of Scotland should chuse the exact period of the treaty of Allahabad to celebrate this virtue, after we had comprized lands within our dominion about five times as big as Great Britain, I cannot say. I am sure

no man is more sensible than I am that it is time to put a period to our ambition : but when I consider how these countries have been acquired, I mean by force, I am afraid that nothing but force will maintain them, and therefore I cannot join in all those lullabys that are to sing so sweet a requiem in future times ; nor can I say whether we are to act as principals or allies in the quarrels of the country powers ; nor can any man lay down such a precise line of conduct four thousand leagues distant from the scene of action. All I can say as my own opinion is, that we ought not to be the aggressors, and to avoid war if possible ; but none can determine the moment for action but the Council we entrust with the powers of government upon the spot. Preventive measures in politics are often the wisest, and their justice depends upon the provocation which is given. To restrain our arms until some overt hostility is committed, would be as wise as that Christian resolution respecting an opposite part of the globe. The interests of the contending powers in India are now so complicated, that it is beyond the reach of ordinary understandings to comprehend them. It is very lately we have been made acquainted with the nature of the Maratta government. Two of the ablest men, Mr. Orme and Mr. Dow, who have written concerning the affairs of the East, both of them men of great knowledge, who have served in the countries concerning which they write, who are both as remarkable for their inquisitive turn of mind as for the elegance of their diction and sublimity of their sentiments, have fallen into great mistakes respecting that people.—Mr. Hastings has brought others on the scene of action, whose names were not known Six or Seven years ago ; for this he is blamed by many, and particularly for his treaty with the Ranah of Gohud. All I can say in answer to such accusations is this : Shall we trust to the knowledge of Mr. Hastings, or to our own weak judgements in matters where the scale of power seems so nicely balanced that a few thousand men will turn it ? We find, in our own perilous situation, that we have been forced to conclude a treaty with the Landgrave of Hesse to furnish men for America, which might have been considered by persons in Bengal as still more

extraordinary, judging of the state of our politics, and yet they have proved a very great supply.

In determining upon a point of this nature, I ask if Mr. Hastings had any interest in deceiving himself, as to the best means of extricating the government entrusted to his care from the perils that surrounded it? If you admit he is a man of ability, and has no interest in doing wrong, I am candid enough to conclude and believe he has done the best. Many of his projects are vast, and beyond the contrivance of an ordinary man; but both those which have been reprobated the most when first proposed, have succeeded in the end; witness Colonel Goddard's march to Surat, and Colonel Popham's attack of Gualliar, and the subsequent expedition into the dominions of Mahdajee Sindia. I freely acknowledge, that the proposition respecting both would have staggered me; but great minds often form schemes in the operations of war which startle men of common understandings. When Scipio proposed to carry his army into the dominions of the Carthaginians, instead of conducting them to Italy to meet Hannibal, the thought was new and extraordinary; but the Senate had confidence in the wisdom of Scipio; it was he that projected the enterprize, and he was the man to execute it—the success is known to all of us. In like manner, if I had been to judge of the arguments pro and con, before the attack of the dominions of Mahdajee Sindia, I should perhaps have thought the measure too hazardous; but Mr. Hastings has vindicated his sentiments, both by the victories of the troops, and the consequences he foretold of inducing Sindia, the General of the Maratta army, and the principal Chief in their confederacy, to sue for peace, as soon as his own hereditary lands were attacked.

The result will probably be a general peace with all the Maratta states, through his mediation. It was upon this expedition Mr. Hastings was so confident, that he risked both his life and his fortune; and it was perhaps this enthusiasm of character which inspired the troops in the fatigues they underwent.

In judging to which we ought to give the preference, whether to Mr. Hastings or Mr. Francis, as fittest for the management of our affairs in the present conjuncture, I will only refer the Proprietors to their different minutes upon receiving the news of our disaster on the coast of Coromandel. Upon information of an event that was sufficient to damp the spirits of the most determined, the soul of Mr. Hastings seems to have risen superior to the occasion. With an ardor for the glory of his country, with a zeal for the prosperity of your affairs, with a perspicuity in the detail, and a sublimity of sentiment in the preamble, he dictated a minute which will ever do him the greatest honour, proposing to send such instant relief in men and money, and a General to command the forces who could restore confidence to the troops; and notwithstanding the inclemency of the season, he carried his design into execution, unimpeded by a cool, prudential, penurious comment from Mr. Francis, turning all the responsibility upon the Governor General, and taking the chance of merit in the contingencies of human events. If Mr. Hastings boldly accepted this responsibility, and sent forth the succours which saved so principal a settlement as Madras, and revived the drooping spirits of your beaten troops, will you deny him the merit of so glorious an action? or allow the man who would have dealt out your treasures with the prudence of a miser, upon an emergency of such moment, to ruin his reputation, and effect his removal before the career of his glory is complete, in obliging our enemies to agree to honourable terms of peace?

That this is the prospect which the last dispatches present I maintain, and that the exertions for relieving the Carnatic have been beyond the belief of the most sanguine friend Mr. Hastings has on earth, and far exceeding the woful prognostics of his enemies, every one is ready to admit; yet some whispers have gone abroad even to detract from his praise in this article. Though he acquaints you, and the letter is subscribed by the other members of the government, that Fifty-five Lacks are actually received from Oude, and One hundred and seven Lacks already sent to Madras, and Five Lacks

per month promised for bills on Bengal; yet we are told to give no credit to such assertions; and a letter from Bombay, where it is impossible they can be acquainted with the transactions of Bengal, is held up against this first and best authority. With regard to the conclusion of peace with the Marattas, I admit that the letter from Bombay creates some doubt on that article; but when it is accurately considered, this letter serves rather to strengthen the accounts from Bengal than to shake their authority. The public letter from Bengal is dated April 8, 1782; the private letter, or Lacedemonian epistle to Mr. Sullivan, which I have read to the Court, containing as many sentences as words, is dated the 13th of April*; the sloop left Calcutta the 15th. The letter from Mr. Anderson to the Council of Bombay is dated the 23d of March. In this letter Mr. Anderson states, that the only obstruction to signing the treaty of peace with the Marattas was the arrangement respecting the lands formerly ceded to Fattee Sung about Amadavad, concerning which, Sindia had sent to Poonah for further instructions; but Mr. Anderson says, he does not believe it will impede the general treaty. Mr. Hastings, Mr. Macpherson, and Mr. Wheeler, say, that peace is either concluded, or that it will be very soon.

* Fort William, April 13, 1782.

" My dear Friend,

" I write but for your private satisfaction. The general letter contains all. A new scene has opened on the coast, the French and Hyder united. I hope, and expect soon, to see all the powers in India united against them. Mr. Anderson is confident. Our advices from Poona, Nangpoor, and Hyderabad, are equally favourable. We shall make no advances this year for the investment, but that already provided will, with the subscription fund, be more than sufficient for the next year's tonnage. I am promised a regular remittance by bills to Madras, of five lacks monthly. This will be almost equally a relief to Madras and Bengal. Here, in Benares, in Oude, all our affairs prosper. I can answer for this Government.—Its exertions shall equal your most sanguine wishes; and I have no fear for their effects, where we direct them. Our expences will be great; but a very few years of peace will retrieve them.

" Your son is well.

Adieu.—

" Your's ever,

(Signed)

WARREN HASTINGS.

" P. S. We have news that the Northumberland arrived at Vizagapatam on the 3d instant, having left the Magnanime, Sultap, seven Indiamen, and the Tartar, on the 27th of March, three days sail to the southward of Madras. It is private intelligence, but undoubted, and I have not time to wait for better authority.

W. H.

The

The question turns, whether Mr. Anderson's letter of the 23d of March, from the camp near Gullear, can be supposed later than what Mr. Hastings must have received before the sailing of the sloop, which brought the dispatch to Bessora?

On examining those acquainted with the country it appears, that the account from Mr. Hastings must have been the latest, and that his information concerning the state of the negotiation must be most authentic.

If the intelligence from Bombay and Bengal contradicted each other, there would be more room for hesitation on the propitious views which our affairs present; but as they only differ immaterially upon the state of the negotiation, and the accounts from Mr. Hastings being the latest and the best, we are bound to give them credit. Still, I admit there is an awful suspense, in so critical a situation as the distresses of our affairs on the coast of Coromandel present, between even the agreement and signing of a treaty of such consequence. But when we consider, in aid of our other intelligence, that Hyder Ally himself had made private overtures of peace to Sir Eyre Coote, even after the French had appeared upon the coast of Coromandel, which is an undisputed fact, I would trust to his judgment, both as to the situation of his own affairs; and the storm which is preparing to burst on him, by the general confederacy mentioned in Mr. Hastings's letter; rather than any other authority.

If, as the Gazette says, the French fleet have left the coast of Coromandel, and gone to the Mauritius, I should have no doubt in delivering my opinion that we were out of imminent danger; but I cannot find authority to vindicate this assertion in the Gazette. The arrival of the Sultan and Magnanime, with their reinforcements and stores, is a very fortunate event; and the march of Sir Eyre Coote's army in consequence, which we learn by a sloop that left Madras the 13th, forebodes favourable circumstances.

The events of war are at all times uncertain; but as far as we are permitted to look into futurity, our affairs wear an aspect which none durst have

foretold.

foretold, before the arrival of the last packet. I hope the same bountiful disposition of Providence, which has so often saved the Company, will be extended towards us upon this occasion; and that we shall not be wanting in gratitude to the individuals who have displayed such talents in the struggle, amongst the first of whom I place Mr. Hastings; and therefore I move you,

THAT it appears to this Court, from incontestible evidence drawn from the records of the Company, and supported by the unanimous opinion of the House of Commons, that the war in which we are now engaged with the Mahrattas; "was evidently founded on the sentiments of the Court of Directors, conveying demands on the Mahratta administration greatly exceeding the conditions of the treaty of Poorunder; which sentiments of the Court of Directors opened the first design of sending a detachment from Bengal to the Malabar coast;" and that consequently it would be the height of injustice to lay the blame of that war, or the evils which have flowed from it, upon Mr. Hastings, when it appears, "that the dissatisfaction of the Court of Directors expressed at the treaty of Poorunder, in their letters to Bengal of the 5th of February, and to Bombay of the 16th of April, 1777, gave the strongest encouragement to both presidencies to seize the slightest pretence of provocation from the ministers of the Mahratta states to renew their engagements with Ragobah." Neither have the measures adopted by Mr. Hastings, in consequence of such instructions, ever received the slightest censure from the said Court of Directors; in consideration whereof, it is now recommended to the Court of Directors to rescind their late resolution respecting the removal of Warren Hastings Esq. Governor General of Bengal; more especially as it appears to this Court that, according to the last official dispatches from Bengal, dated the 8th April, 1782, the prospect of peace with the Mahrattas was then propitious, because it seemed to be wished for by all the Mahratta states; because hostilities with them had ceased for many months, and that a peace had actually been concluded with Mahdajee Sindia, one of the principal

chiefs

chiefs of that confederacy, and further, that the Government General of Bengal were using every means in their power to effect a general pacification; and that the conduct of the said Government General, tending to produce a general pacification, or to unite and support by powerful resources a general confederacy of the country powers to defeat the combination of Hyder Ally and the French, (supposing the said Hyder Ally shall not accept of the reasonable terms of accommodation which have been offered to him in consequence of his proposals for peace) merits the warmest approbation of this Court, and that therefore it would be evidently injurious to the interests of the Company and the nation to remove any of those principal servants of the Company, now discharging their duty with such uncommon exertions, ability, and unanimity, or to shake the authority reposed in them by the Legislature and the Company, at a period so critical, when the prosperity of the British interests in India will depend, in a great measure, on the confidence which the native princes of the country may place in the Government General of Bengal."

Notwithstanding I am sensible I have troubled the Court too long, yet I am conscious that much has been omitted as necessary to the subject, but I sit down in confidence, that others of the Proprietors, much more able than myself, will supply those defects. However, if I find that any thing material should escape observation in the debate, I shall crave indulgence from the Court to trouble them once more.

Mr. Samuel Smith junior said,

That he should have arisen with much reluctance to enter into the discussion of the deliberate resolves of a number of gentlemen to whom the management of our affairs had been intrusted, and who were possessed of abilities necessary to the investigation, had not the result of their deliberations been marked with the strongest features of inconsistency.

It

It was a misfortune to our servants in India that the errors of Leadenhall-street had too frequently been made the errors of our servants abroad. Such had been their situation—*quidquid delirant reges pleruntur Activi.*

He conjured the Proprietors to recollect the situation of our Governor General, the unfortunate dissensions in council which had clogged exertions and abilities which might have been more beneficial to his country.

At the close,

If, says he, he had committed a few errors in the administration of a complicated system of government, in a country where the natives know no rules but the sword, acknowledge no superior but the hand of power, and where allegiance alone is fostered by the appearance of rigour, let us not view them through the jaundiced optic of recrimination; let us rather remember his faithful services, applaud his zeal, admire his virtues, emulate his integrity; and if he has had his failings, lament the imperfection of human nature.

He entered into a discussion of the resolves of the Court of Directors, shewed that they were inconsistent with the orders they had given to their servants in India, called upon them to produce facts, and to inform the Court when they had expressed any disapprobation of the Mahratta war; that he was confirmed in his opinion that they had no proof of delinquency against Mr. Hastings, by the able and nervous protests of the Directors; that if they had, they had acted very unwisely in taking weak ground when they might have availed themselves of stronger; that by the late advices from India, our affairs were in a very flourishing way compared with what they had been, owing to the great exertions of the Governor General; that it was absolutely necessary that the Court should have some facts laid before them to form their opinion, as the inducements of the Directors to criminate their servants in India were so strong as to render them improper umpires in the business; for if blame was imputable, it was to those who issued the orders, and not to their servants; quoted several passages in their letters to

Bengal so late as May and December, 1781, where they approved in the strongest terms of the conduct of their Governor General, &c. &c. &c. that they had the most entire confidence in his future exertions; urged the impolicy of recalling at this critical period on the eve of peace, a person so well acquainted with the different interests, views, intrigues, and cabals of the contending powers; desired to know whether it was possible that any man sent from hence, who, however able, would not be possessed of this necessary information, could immediately take the thread of negotiation into which Mr. Hastings had entered, with that prospect of success which we had great reason to expect while it remained in the present able hands; that therefore the recall was impolitic and unwise; and concluded by seconding the motion.

The deputy chairman, in a speech of some length, attempted an historical detail of the political transactions of Bengal since Mr. Hastings succeeded to the government in 1772. He observed, that Mr. Hastings had promised to observe a pacific system; that if he had followed that pacific system, he should always have had his support, since he revered his abilities and other great qualities. He slightly touched upon the Rohilla war; he dwelt upon the march of the detachment across India; he observed, it had been eleven months on its march; he adverted to the proposed treaty with Moodajee Boosla, and asserted, that Mr. Hastings had by that measure lost the confidence of the Nizam: he admitted the truth of the Honourable Governor's remarks respecting the countenance given by the Directors to Ragoba. He blamed the compromise by money for the march of Colonel Pearse's detachment to Madras, after they had been ordered to cut their way against all opposition. He slightly mentioned the business of Benares; and concluded by saying, that he supported the resolutions brought up by the chairman for the removal of Mr. Hastings.

Major Scott then rose, and replied to the Deputy Chairman as follows:

I Rise, Mr. Chairman, to state as accurately as I can a few facts which I think have been mistaken or misrepresented by the worthy Deputy, not designedly I am perfectly convinced. I agree with the worthy Deputy that Mr. Hastings did engage in the year 1772 to preserve a pacific system, and upon a plan of the most rigid œconomy. This, Sir, he fully performed, with what perseverance every man who then served in India must know. When he arrived in Bengal, Sir, the bonded debt was 120 lacks, and the Company had been drawn upon just before for above a million sterling. This debt, Sir, was contracted, and these drafts were made, in consequence of our improvident foreign connections; by which above three hundred thousand pounds annually were exported from Bengal from 1766 to 1770, in order to pay the troops stationed beyond the banks of the Carumnassa. Mr. Hastings therefore wisely determined to bring all our troops within the provinces, and this he wrote to the Directors he would do; but, Sir, in consequence of the invasion of Rohilcund by the Marattas, Sir Robert Barker took upon himself to order the brigade stationed at Patna to advance to Benares. A treaty was concluded between Sujah Dowlah and the Rohillas, of which Sir Robert Barker, on the part of the English, was the guarantee. Thus, Sir, were we necessarily involved in foreign connections, unless we would have allowed the Marattas to ravage the country of our ally the Vizier. What then did Mr. Hastings do? He took care, Sir, that the foreign connection so formed should be a source of wealth to Bengal, not a pernicious drain for the specie that was left in it. Sir, the pay of a third of our army has been discharged from 1773 to this day by the Sovereign of Oude, in consequence of the treaty of Benares. Ninety lacks in specie came to Calcutta in consequence of it. By this treaty, Sir, and by the œconomical arrangements formed in Bengal, in the two first years of his government, was Mr. Hastings enabled to pay off the bond debt. When the Supreme Council arrived in 1774, there was "peace in India." Whatever unfortunate disagreements subsisted in the Supreme Council, our own provinces, and the dominions of
our

our ally the Vizier, enjoyed perfect tranquillity; and this continued, Sir, until the peace of India was disturbed by the capture of Salfette from the Marattas, and the treaty concluded in March, 1775, with Ragoba by the Presidency of Bombay. The Supreme Council unanimously disapproved of that treaty. Mr. Hastings called it unauthorized, impolitic, inexpedient, and unjust: but as the faith of the Company was pledged to Ragoba by gentlemen whom he thought had a right to pledge it, Mr. Hastings was not for annulling it unconditionally. The majority of the Supreme Council however, in compliance with the strict letter of the Company's instructions, which were to preserve "peace in India," determined to conclude a treaty with the ministerial party at all events. Sir, I beg it may be understood that I do not presume to say that the gentlemen of Bombay acted wrong in taking Salfette, and concluding their first treaty with Ragoba, much less that the Court of Directors were to blame for approving of their conduct; but this I insist upon, if the Court of Directors had adopted the measures of the Supreme Council, if they had supported their own instructions, and had reprobated the conduct of the gentlemen at Bombay, we should not have had a second Maratta war. Instead of supporting their orders to Bengal in their obvious sense, the Directors warmly approved the treaty concluded with Ragoba; they expressed their determination to keep all the territories ceded to them by that unfortunate prince; they highly disapproved the interference of the Supreme Council, and the treaty of Poorunder; they said, the conduct of the ministerial party deserved the severest chastisement, and they gave their servants in India authority to recommence hostilities upon the slightest provocation. These, Sir, are facts universally known, universally acknowledged. With the Directors orders before him, Mr. Hastings, in February, 1778, espoused the cause of Ragoba; not, Sir, from affection to the person or the party of that prince; not, Sir, for the acquisition of territory in the West of India; but to overturn an influence in the Poona Durbar, which he deemed dangerous to the existence of the British interests in India. His Majesty's Ministers, the Court of Directors, the former administrations in Bengal, the Honourable General whom I had just now the pleasure to see in his place, had kept a watchful

eye upon the intrigues of the French in India. Sir, it was the open, the avowed reception of an agent from the French King at Poona, that induced Mr. Hastings to take part in Maratta politics. Let it be remembered, Sir, that the appearance of this Monsr. St. Lubin at Poona served to confirm intelligence of a most important nature respecting the views of the French, which was brought to Bengal from very high authority by Mr. Elliot. Here then, Sir, is the real secret of Mr. Hastings's conduct towards Ragoba and Moodajee Boosla. He wanted to establish an interest in the Maratta state, which should counterbalance the French influence at Poona. When the man was at the head of the Poona administration who had openly encouraged the French agent; when the friends of Ragoba were confined, owing to the slow advance of Colonel Leslie's detachment, and the inactivity of the gentlemen at Bombay; when news was received of a war with France being declared, and when the destination of D'Estaing's Squadron was unknown even in England; then it was, Sir, that Mr. Hastings proposed an alliance with Moodajee Boosla; then it was, Sir, that secret instructions were given to Mr. Elliot of the nature which the worthy Deputy has mentioned. As an inducement for Moodajee to conclude a treaty, it was to be proposed to him, that we should put him in possession of certain countries which had been wrested from him by the Nizam. These instructions, Sir, were most secret; they were not entered upon the records at the time; and whoever first divulged them in India, betrayed a state secret of the greatest importance. God knows, Sir, from whence the author of a pamphlet, entitled, "Origin of the Maratta War," obtained this intelligence, or the other proceedings of the secret councils in Bengal;—he has given much information to the world;—the matter has been violently agitated. Mr. Francis, late a member of the Supreme Council of Bengal, also introduces this subject in an anonymous pamphlet which he published about ten months ago, intitled, "The State of India."—The worthy Deputy votes for Mr. Hastings's removal, because he has lost the confidence of the native princes of India; and this secret article of a treaty never executed is stated as the ground for his coming to such a conclusion. But, Sir, I will bring the clearest proof that he has not lost the confidence of the Soubah of the

Decan. Sir, it is highly probable the Nizam never knew of that secret article; if he did, it has not influenced his conduct. He avowed himself the framer of the combination formed against us, in resentment for the presidency of Fort St. George having withheld the tribute due to him for the northern Circars, for desiring a remission of it in future, and for the treaty concluded at Madras with his brother Bagalut Jung, for the cession of the Guntoor Circar. So far is he, Sir, from mentioning this secret article, when he is enumerating the injuries which he has received from the representatives of the British nation in India, that having received assurances from Mr. Hastings, who advised that secret article, that justice should be done to him, he rests perfectly satisfied; and in one of his letters to the Governor General he makes use of this remarkable expression; "I had drawn the sword from my scabbard, but depending upon your justice I have sheathed it again." Sir, I should pay no attention to this declaration, if the actions of the Nizam were not strictly correspondent to it. Has he, from the time he entered into the confederacy against us early in 1780, performed a single stipulation himself? Was it from a dread of our power, Sir, that he has been precluded from taking possession of the northern Circars? Sir, it is well known they were left, and of necessity, almost without defence, after the invasion of the Carnatic by Hyder Ally Cawn, in August 1780. No, Sir, it is a fair conclusion, that the interference of the Supreme Council, and his personal confidence in Mr. Hastings, have been the motives for his observing a strict neutrality from August 1780, to April 1782.

I will bring, Sir, another most striking instance to prove that Mr. Hastings has not lost the confidence of the native Princes of India. When the revolt of Cheyt Sing was at the height, when I may say the Vizier held the balance, he took a firm and decided part in favour of the Governor General, and the British interests. He came with a very slight attendance to Chunar. If it should be observed, that the Vizier is dependant upon us; I reply, that he does not feel that dependance disagreeable to him, or he would have seized so fair an opportunity of emancipating himself from it. Sir, I could bring
you

you many more instances to prove that Mr. Hastings has not forfeited the confidence of the natives, but that he possesses it in an eminent degree.

The moment, Sir, is now come, which is to determine whether Mr. Hastings has or has not lost the confidence of his constituents. This is the moment too, to lay his sentiments fully before them; and in the words, and in the manner, I received them on my departure from Bengal. I beg, therefore, to be permitted to read the following part of my instructions:

“ Respecting my own wishes, I have none, but that I may be allowed such
 “ a degree of confidence and power, as may enable me to discharge the
 “ duties of my station with effect, and to support the interests of the Com-
 “ pany and the British nation in India. My place is not, at this time,
 “ an object of envy to any man, who values either his ease or his reputation.
 “ I will hold it while it is incumbered with such dangers and difficulties as
 “ shall, in my estimation of them, render it dishonourable in me to
 “ abandon it, and while I am allowed to possess and exercise the powers
 “ inherent in the Government itself. But when the safety of the Com-
 “ pany’s possessions shall be so well secured as no longer to make it an
 “ obligation of honour and fidelity to remain in the service; or whenever
 “ those under whose authority I serve, shall either withdraw their confidence
 “ from me, or distribute the powers of this government between me and
 “ others, in such a manner as to disable me from employing them in
 “ essential points, according to my own judgment and discretion; I shall,
 “ in either of these cases, consider myself as acquitted from any obligation
 “ to remain in the service; but shall, in every case, reserve to myself the
 “ sole right of resigning it, declaring that I will not intrust any man living
 “ with the power of acting for me for such a purpose. These sentiments I
 “ deliver to you, that you may make them known without reserve; and in
 “ the most public manner, if there shall be an occasion for it.”

These, Sir, are Mr. Hastings’s sentiments, and this is the moment for publishing them. The free, the unbiassed voice of his respectable consti-

ments, must now determine whether he shall remain in, or quit their service. Mr. Hastings remembers, with the sincerest gratitude, the generous interposition of the Proprietors in 1776, who saved him when a majority of the Direction of that day, and the administration, wished to effect his removal. The respectable, the independent Proprietors saved the man, against whom criminality could not be proved. His conduct has undergone a second severe investigation. Two Committees of the House of Commons, and a popular Administration, which carried every thing before it, had fixed upon his removal many months ago. The business is now to be settled, and must be determined, thank God, by men who have no private views to gratify, who have no interest to bias them, but a regard for the public good. Whatever the decision of the Proprietors may be, Mr. Hastings will cheerfully submit to it.—Before I conclude, I cannot help observing, that the peculiar situation in which I stand, must naturally make what falls from me of less force, than what has so ably been stated by the honourable Governor, even were I equal to the task of entering so completely into the subject, which I confess I am not. I have therefore confined myself to a strict relation of such facts, as a very long residence in India, and having had the honour to be confidentially employed by Mr. Hastings from the commencement of the Maratta war, has enabled me to lay before the Proprietors.

General Smith followed Major Scott, and in a speech of great length introduced much matter foreign to the subject before the Court. He complimented the Honourable Governor on the masterly manner in which he had opened the business; he allowed that former Directors were culpable for the orders they had issued; but he insisted upon it, that the responsibility of the Maratta war clearly rested with the Supreme Council from the 5th April, 1779. The General did not attempt to contradict or to contravert a single fact advanced by Major Scott: he remarked upon the folly of a march across India; said Mr. Hastings had formed a Quixotte scheme; an attempt that Aurengzebe, in the height of his power, would not have made. He entered

tered very fully into the Benares business; and if we rightly understood him, he declared, that no situation of affairs could warrant the demands made upon the Raja: that while he had a tongue to speak, he would take the part of that unhappy man: that Mr. Hastings, disappointed of money from the Raja, the officers having divided the spoil, (and this he blamed the Directors for, by withholding the Rohilla prize money,) had encouraged the Vizir to seize the treasures of his mother and grandmother, women of high birth, under the plea of their having encouraged the revolt of Cheyt Sing, merely because two of their eunuchs were said to have raised troops for the Raja. This, the General observed, was as probable as that Tenducci and Pachierotti should excite an insurrection in England. He expressed his surprize that the Honourable Governor should speak, as he had done, of General Clavering, when not long ago he declared his statue in gold should be set up in the India House. After declaring that he should have deemed it his particular duty to attend the present business, he concluded by saying he should vote against the question.

Governor Johnstone rose to explain. He totally denied that he had reflected upon General Clavering. He thought him, he said, a most valuable and honourable character. Nor had he reflected upon Mr. Francis: he revered the abilities of that gentleman; but would any man say that such abilities, exerted in thwarting every measure proposed by Mr. Hastings, were not a drag-chain upon him? Would the Honourable General say, that Mr. Fox's abilities, when exerted in opposition, were not a clog to government? He expressed his surprize that the Honourable General should compare the eunuchs of the Begums to Tenducci and Pachierotti. The Honourable General knew better. He knew that eunuchs, in that country, commanded armies, and were even preferred to fill the great offices of state. He knew that, when trusted, they were men of great influence and power; and that Sujah Dowlah's best and most favoured general officer was an eunuch. It was wrong, therefore, in the Honourable General to attempt to mislead the Proprietors.

Mr.

Mr. Anstruther rose after Governor Johnstone. It is impossible to give the whole of his speech; it contained such a quantity of matter, and such variety and force of argument, as carried conviction to every impartial hearer; we can only touch upon the principal points upon which he dwelt. He said he rose to enter fully into an investigation of the resolutions brought forward by the Court of Directors. It was upon the matter which they contained, that Mr. Hastings was to be tried; *they* formed the charge against him, and were the reasons which the Directors gave to the world to justify themselves for the important step which they had taken, in removing from his office the first civil servant of the Company. If he could prove that they were not founded in justice nor supported by fact, every man must agree to the proposition brought forward by Commodore Johnstone, and vote for the rescinding them, let their opinions be what they would upon other points of the conduct of Mr. Hastings, which, though they had been loosely and irregularly introduced into the debate, yet formed no part of the charge which had been made against him. He trusted however, that before he sat down he should convince the Proprietors that those loose charges would form as poor a ground for the removal of Mr. Hastings, as the matter contained in the resolutions themselves.—He complained much of gross injustice which was done to Mr. Hastings, by bringing forward a charge against him, couched in terms so general, as to render it impossible to guess what offence he had committed, or what crime he had been guilty of. The meanest servant of the Company would not have been dismissed from his office till some specific fact was charged upon him, which his accusers were bound to prove, and which he or his friends were at liberty to deny and to refute;—but the Governor General of Bengal was to be recalled upon a charge which contained nothing but general assertion and empty declamation; a charge so loose and indefinite as put it out of his power to know what part of his conduct, or what act of his administration, it was which his enemies found fault with.—He was accused of having involved the Company in unnecessary and complicated wars, without specifying what war it was which he had entered into unnecessarily—Of having disobeyed orders, without producing a single order which he had not carried into execution—Of

having entered into fruitless and contradictory negotiations, without once alluding to the negotiation which his enemies meant to condemn. And, in order to prevent the Governor General and his friends from the possibility of discovering the cause of his removal, the Directors had insidiously inserted in the charge, that he was to be removed for these other instances of erroneous conduct. He called upon the Directors to state what they meant by those words; to produce the instances to which they alluded;—if they did not, that he should think himself justified in concluding that the charge was made thus general because, in all the mass of materials which had been gone through in the course of the present business, the Directors had not been able to lay their finger upon any one specific fact which could justify them in the very extraordinary resolution which they had come to for removing Mr. Hastings.

The first resolution contained a general panegyric upon the moderation, wisdom, and good faith of the Court of Directors; while the second, if it meant any thing, meant to lay the blame of the Maratta war upon Mr. Hastings. He did not think it very decent in a Court of Directors to come forward with such praise upon their own conduct, more especially when the use they made of it was to load Mr. Hastings with that blame which they endeavoured to shift off from themselves. To praise themselves in order to criminate others was neither very decent nor very candid; but as the praise was equally general with the censure, he hoped, before he sat down, to prove that they were both equally ill-founded and unmerited. The great question between them was, who was the author of the Maratta war? If that war originated with the Court of Directors, he, for one, would not join in a panegyric upon their moderation and good faith; and as little would he condemn Mr. Hastings for having involved the Company in complicated wars. He had now the first authority for asserting, that the responsibility of that war lay at the door of the Directors, and not with Mr. Hastings. The Deputy Chairman and General Smith had both admitted it. (The Deputy making a sign as if he had been misunderstood) Mr. Anstruther said, It was a matter of indifference to him whether it was admitted or not,
for

for he should in a few words prove it beyond all possibility of doubt. That so far back as the year 1758, the Directors had positively directed their servants to use every endeavour to obtain Salfette and Bassein; and had told them "we cannot point out the mode of doing it, but rather wish "they were obtained by purchase than war." There was, he observed, no great reason to praise either the moderation or the pacific disposition of the Court of Directors when they issued this order. That some years after, when their servants had obtained a cession of those places by their first treaty with Ragoba, in consequence of assistance which they were to afford him for the carrying on his schemes, and which treaty was the beginning of the first Maratta war, the Court of Directors positively enjoined their servants, both at Bengal and Bombay, to "use every means for their protection and "defence of the territories ceded by Ragoba." Unfortunately for the schemes of the Court of Directors, before this order reached India, the Supreme Council had interfered, and had put a stop to the war which had been begun with the Marattas, in consequence of the treaty with Ragoba, and had concluded the treaty of Poorunder. He would submit to the Court of Proprietors, whether the sentiments of the Directors, upon hearing of this event, deserved any of those epithets of moderation, wisdom, or good faith, which they had been pleased so liberally to bestow upon themselves in their first resolution. In their letter to Bengal, in February 1777, they lament exceedingly, that their letter ordering the servants in India to take every means for the protection and defence of the cessions made by Ragoba, had not arrived previous to the conclusion of the treaty of Poorunder, which treaty they stigmatize as improvident. They blame the Supreme Council secretly for their interference, and go so far as to hint, in pretty strong terms, that their conduct deserved chastisement. They proceed to direct their servants in India to seize the slightest pretence to slip out of the treaty of Poorunder, as they approve of the connection which the Gentlemen of Bombay had formed with Ragoba, in preference to any other. But this was not all, for in the year 1778, in a letter from the Secret Committee of the Court of Directors to Bombay, they specifically declare, that the restoration

of Ragoba to the Regency of Poona, was a measure upon which they were determined; and declare, that as the evasions of the Maratta Chiefs fully justified them in departing from the treaty of Poorunder, they should forthwith undertake that measure. And as the co-operation of the other settlements might be necessary for that purpose, they sent copies of this letter to Bengal and to Madras, directing them to afford assistance to Bombay for this purpose. But what proved beyond the possibility of doubt, if any doubt still remained, that the Maratta war was a war of the Court of Directors, was the report which a Committee of the Directors had made in 1780, in consequence of an inquiry into the whole of the Maratta business, where they expressly declared, that the resolution of the Bombay Council of the 21st of July, for placing Ragoba on the Regency of Poona, was not improper, as the circumstances then stood. Here, he said, was a positive and express approbation of the second Maratta war, by the Court of Directors themselves, after a serious inquiry into the whole of the business. Who was there, he asked, after this detail, who could give his assent to resolutions which contained a panegyric upon the moderation and good faith of the Court of Directors, and which laid the blame of a war upon Mr. Hastings which they themselves had begun, fomented, encouraged, and approved of. That it was ungenerous in them to endeavour to shift the responsibility of that war from themselves upon a servant, who was at that moment using the most wonderful exertions in their service, and by whose talents and abilities they were saved from the brink of destruction. He then called the attention of the Proprietors to a fact; which he confessed he did not expect them to give credit to, because he should not have believed it himself, but upon the most positive and uncontrovertible evidence. If it was not true, it was easy to contradict him; and he called upon the gentlemen concerned to stand forward and contradict him, if he departed one iota from the truth. That he had found upon the records of the Company, that Henry Flecher had signed that famous letter, disapproving of the treaty of Poorunder; and was one of those who had enjoined the servants of the Company to seize the slightest pretence for breaking it. That Henry Flecher, as one of the Committee, had set his name to a resolution approving of the breach of that

treaty, and approving of the resolution of carrying Ragoba to Poona, and placing him in the Regency there. And yet that same Henry Flecher was the man who now came forward as the author of those resolutions, praising his own moderation and good faith, and condemning Mr. Hastings as the author of the Maratta war. Where was his moderation, when he condemned the treaty of Poorunder? Where was his good faith, when he authorised the breach of it? And where was his justice, when he condemned Mr. Hastings as the author of measures which he himself had thus pointedly authorised, and specifically approved of? The Maratta war was the war of Henry Flecher, and not the war of Mr. Hastings; and, unless he had forgot all the transactions of his past life, he called upon him to stand forward, and clear the innocent and injured character of Mr. Hastings from aspersions thrown upon it in those resolutions, of which he himself was the author.

Having disposed of the first resolution, and cleared Mr. Hastings from all blame respecting the Maratta war, he observed that no character had ever undergone the scrutiny which Mr. Hastings had done. It had stood the test of two committees of the House of Commons, surely not favourably disposed to Mr. Hastings, where he had been tried and condemned, but where he had not been heard. It had stood the test of a long enquiry before the Court of Directors, and it was universally admitted, by his enemies as well as his friends, that he was possessed of those two essential requisites for a Governor, undoubted ability, and undoubted integrity. He called upon the Directors to produce the man who, after so severe a scrutiny, preserved such a character, that the Proprietors might fairly judge between them. To ability and integrity, Mr. Hastings added what scarcely any one but himself possessed, a long experience in the Company's affairs, a perfect knowledge of the views, interests, and relative situation of the different native powers. He knew them, and they knew him. Was this a moment, when the empire was convulsed from one end to the other, to recall a man, who to ability joined integrity and magnanimity, and a perfect knowledge of every matter which his situation required him to know. Governments might perhaps, in times of peace, be unhinged without much danger; but to try such an experiment

ment at such a time, and upon such a man, who, by the dispatches upon the table, appeared to have made exertions, and to possess resources exceeding the most sanguine expectations of his friends, appeared to him an act little short of madness. He asked whether a person ignorant, or at least comparatively ignorant, of the situation of the Indian powers, was a proper person than Mr. Hastings to negotiate the peace which now seemed to be going on, or whether there ever was an instance of displacing a negotiator, possessed of ability and knowledge, at the moment when his negotiations were drawing to a point; or whether the Indian powers were more likely to conclude a peace, and to place confidence in a person sent from this country whose name they never heard of, and character they were perfectly unacquainted with, than with such a man as he described Mr. Hastings to be. A late ministry had recalled a great naval commander in the hour of victory and of confidence. Were the Directors determined to prove to the world that there was no act, however absurd and ridiculous, which they could not outdo, and prove it by unhinging their Government at a time its force was most wanted, and recalling their negotiator in the moment of negotiation? He then adverted to what had fallen from the Deputy Chairman, who had asserted that Mr. Hastings possessed ideas of conquest which extended from the mountains of Thebit to Cape Comorin: it was true he had asserted it, but he trusted that the Proprietors would require something more than assertion before they consented to the removal of Mr. Hastings; and so far had Mr. Smith been from proving his assertion, that he had advanced in another part of his speech a proposition that appeared to him totally inconsistent with it; for in the same sentence, when he accused Mr. Hastings of a desire of extending his empire by force of arms, he found fault with him for paying a sum of money to the Raja of Berar, which he had termed an act of submission: he had said that Col. Pearse's detachment should have cut their way, as was originally intended. He left it to the Deputy to reconcile ideas of conquest with acts of submission. He should only observe, that it was to the march of Col. Pearse's detachment that we owed the safety of Madras; and he was happy that upon this occasion the Governor General was more pacific in his dispositions, and less hostile in his views, than the Deputy himself was.

Mr.

Mr. Anstruther continued,

He did not see that paying a sum of money to secure the safe passage of a body of troops through the territories of a foreign prince, and for procuring a supply to those troops during their march, could be termed an act of submission, or that the purchasing a passage through the territories of another could ever be construed into an acknowledgment of tribute for our own.

A great deal had been said with regard to the Benares business; he could not discover any word in the charge against Mr. Hastings, however vague under which it could be included. It was neither a treaty nor a war, nor a disobedience of orders. He should therefore be fully justified in laying it entirely out of the question, since the resolutions had not taken it up as a ground for his removal. The resolutions contained the Directors reasons for removing the Governor General: they had not once alluded to the affair at Benares, he had therefore a right to say that it had not been thought cause sufficient by the Directors themselves to justify the vote which they had come to. It was that vote, and the reasons upon which it was founded, as expressed in the resolutions themselves, upon which they were at present debating, and not upon other points in the conduct of Mr. Hastings, which formed no part of the charge against him. If the friends of Mr. Hastings could refute every fact hinted at (for no facts were stated) in the resolutions, it was a self-evident proposition that they must fall to the ground, however blameable or however praise-worthy his conduct might be in other respects. He said, he might give this general answer both to this affair, to the story of the old woman and the eunuch (introduced by General Smith, and so fully answered by Governor Johnstone) and to all the other stories alluded to in the debate: they proved one thing however completely to his satisfaction; they pointed out, in the strongest manner, the miserable shifts to which the enemies of Mr. Hastings were driven, in order to support the resolutions for his removal. He had not said thus much, however, because he thought the Benares business less defensible than any other part of the conduct of Mr. Hastings. That as far as he could learn, either from verbal information or from books, it had been the uniform practice,

and the settled law of the Mogul empire, to exact sums of money and bodies of troops from their tributaries, over and above the stated annual tribute, whenever the exigencies of the State, and the general welfare of the whole, required it. If this was true, and he had not heard it denied, the conduct of Mr. Hastings was perfectly defensible. The rights of the Moguls over the Raja of Benares, were transferred to us as completely as they possessed them; and Mr. Hastings did nothing but what was intirely consonant to the usage of the country, in demanding an additional supply from Cheyt Sing, at a time when the general safety of the empire called for it. But if he should admit, for a moment, that the conduct of the Governor General, in this instance (and he only admitted it for the sake of argument), was not strictly defensible, he challenged his adversaries to assert that his conduct had been actuated by any sinister motive. In a moment of difficulty, when a supply of treasure was absolutely necessary for the existence of the Company, at a moment of state necessity, he called for a supply which he thought he had a right to demand, and had risked his life in the cause. He had narrowly escaped assassination; and after this, was he to be punished with a recall? nor would even his recall satisfy the violence of his enemies, unless the man who had basely attempted to assassinate him, and who had actually murdered his suite, were restored to wealth and honour. Mr. Anstruther then alluded to the other accusations that had been made against Mr. Hastings; but as they had been fully answered by the gentlemen who spoke before him, we shall not enlarge upon them. He concluded with giving his hearty approbation to the motion of Commodore Johnstone.

The Chairman declared his reasons for consenting to the recall of Mr. Hastings; these were stated to be, generally, that Mr. Hastings had disobeyed the Company's orders; that he had made a considerable promotion of Majors; that he had gone to Benares, for the express purpose of getting 50 lacks of rupees from the Rajah; and that, in his letter to Lord Macartney, he avowed sentiments, respecting the Rajah of Tanjore, unbecoming the head of a trading company.

Mr.

Mr. Dallas began by observing, that he rose at a late hour of the day, and to an exhausted subject; for where the Honourable Governor and the learned Gentleman had reaped, there could remain but little for him to glean. Upon a subject, however, of so much consequence to the character and happiness of an individual, the prosperity of the Company, and the interest of the nation, he could not be contented with giving a silent vote. He came into the Court prepared to discuss the whole subject of the Maratta war: fortunately, however, for Mr. Hastings, that task had been performed by much abler hands, in a manner that would not suffer a single doubt to remain with the candid, and must even impose conviction upon the most prejudiced mind. The little matter therefore with which he should trouble the Court, and to which, from the importance of the subject, he solicited their attention, would consist chiefly in reply to what has been urged on the opposite side during the course of the debate, and in some general observations, which struck him as not altogether foreign to the subject.

The resolutions which the honourable Baronet had produced to the Court consisted of general accusation, without specifying any particular charge. He perfectly agreed in the observations already made, That every accusation should be precise in its terms, and positive as to its object; that it was but common justice to every man to point out the offence of which he stands accused, that he may be prepared for his defence; to shew him the enemy he had to encounter, that he might not perish in the dark. True as these observations in general were, he could not however agree with the honourable Commodore in censuring altogether the resolutions of the Court of Directors; on the contrary they appeared to him most wisely adapted to their intended purpose; and the honourable Commodore must have perceived it was not the single end of censure upon Mr. Hastings, but, as Mr. Manship's protest had truly stated, the double purpose of censure upon Mr. Hastings, and panegyric upon themselves. To have pointed out particular facts, would have been to expose the inconsistency and falsehood of their resolutions; and however much he might reprobate their injustice, he was compelled to admire their policy.

It seemed now to be fully established, that the Maratta war, that great source from which all our calamities have flowed, originated in the orders of the Court of Directors. Mr. Dattis observed, that he would not therefore waste the time of the Court in attempting to prove a self-evident proposition: It was a matter of evidence, and not a subject for argument, and to be proved in the clearest manner by a mere inspection of the Company's records. The Court had heard letters read from the Directors to the Presidency at Bombay, enjoining them to get possession of Salsette and Bassell by purchase or war—directing them to make this their object in all their treaties, negotiations, and military operations—approving the treaty concluded with Ragoba—disapproving the treaty concluded by Colonel Upton—censuring the interference of the Supreme Council—blaming the having deputed Colonel Upton to Poonah—recommending an alliance with Ragoba, and ordering the Bombay Presidency to seize the slightest pretence not to abide by the treaty of Poonah—approving the second attempt to restore Ragoba—approving Colonel Leslie's march." In short, in every part of their instructions and conduct, authorizing the principle of the war, applauding its progress, censuring its discontinuance, and encouraging its renewal. It was necessary to contrast with these proceedings the conduct of the Governor General. When the intelligence of the first Maratta war reached him, he pronounced it in a minute recorded upon the Bengal Consultations, to be "impolitic, unauthorised, unreasonable, and unjust." In the preamble to the treaty of Poorunder, it is stated, that "the Governor and Council at Fort William highly disapprove of the war;" and when the Governor General proposed to send money and troops to the assistance of the Bombay Presidency, it was with this express declaration, "not that the war may be carried on, but that peace may be concluded."—"War is not my object. My object is peace, which is most likely to be obtained by being prepared for war." Yet when the Government General had in any degree interposed to abate the principle of the war, they had met with censure and rebuke from the Directors; and upon the Council at Bombay, who commenced and cherished it, their commendation and praise were liberally bestowed. Thus Mr. Hastings was placed in a situation, where, beset with difficulties upon all sides, every

line of conduct led to his ruin. He obeys the orders of the Court of Directors, and they resolve to dismiss him; had he disobeyed their orders, such disobedience would have formed a ground for the like resolutions—but Mr. Trust, said Mr. Dallas, there is sufficient justice in this Court to save him from the consequences of this cruel alternative—from this two-edged sword, which, whatever way it strikes, must strike for his destruction.—It was impossible not to feel the strongest indignation at this attempt to entrap the Court of Proprietors into resolutions, replete with injustice and cruelty! The Court of Directors were themselves the authors of all they had charged upon Mr. Hastings—the records of the Company—the resolutions of the Secret Committee—and, from this day, the unanimous sense of mankind, would impute to them the criminality of the Maratta war, and all its consequences, if criminal it was.—Mr. Hastings was bound to obey their orders; but whose orders were they bound to obey when they issued such instructions?

But what had passed in the course of the debate must expose to the world, in the clearest light, the weakness and inconsistency of Mr. Hastings's opponents. The Honourable Chairman who had produced the present resolutions had also signed the different orders before mentioned; and when pressed upon this point, can give no other justification of himself, than that "he makes it a rule to sign all letters." What? does he make it a rule to sign such letters as must involve the Company in contradictory and impolitic negotiations, promote offensive treaties, unnecessary and complicated wars, attended with enormous expence, decrease of national influence and reputation, a great load of debt; and if he signs them, is he not answerable for their consequences? But, as Mr. Anstruther had very properly observed, he had not merely signed the letters, but also the report of a Committee of Directors appointed expressly to examine into the Cause of the Maratta war; which report contained a full approbation of it. This was a deliberate and solemn act, after his attention had been excited to the subject, and upon full and thorough investigation. Had he not approved of this report, his name would never have appeared to it, and he could not justify his having signed it under his former rule of

signing all letters; for it must be in the recollection of the proprietors, he did not make it a rule to sign every report. On the contrary, when the Court of Directors had permitted an inferior servant of the Company to return with his rank to Madras, the chairman was one of four directors who not only dissented, but even signed a protest against the resolution.—Even now he had not declared that he disapproved of the Maratta war, or that he considered Mr. Hastings to be the author of it.—Mr. Dallas observed, that the Court must remember how often the honourable General (General Smith) in the loud language of defiance, had dared a late worthy Chairman (Mr. Sullivan) to bring before the proprietors the question of the Maratta war, and had pledged himself to prove Mr. Hastings the author of it. The day of trial is now come, and the honourable General declares Mr. Hastings is not the author of it, but that it originated in the orders of the Court of Directors.—This is indeed a day of triumph for Mr. Hastings, when his most inveterate opponent is compelled to do this justice to his character.—But the honourable General had observed, that from the 5th of April 1779, the responsibility of the Maratta war rested upon the Supreme Council.—However difficult it might be to fix a date from which responsibility should commence during the progress of complicated and distant operations, he was willing to accept the era from which the honourable General chose to date, and he pledged himself to prove, that all the disgraceful and calamitous circumstances which have attended the war took place previous to that period, and that all its brilliant and beneficial events have happened subsequent to it. Was not the march to Cambay, the treaty of Surat, the shameful surrender of our troops, and the infamous convention of Wergaum, previous to the 5th of April 1779? Were not the capture of what had been called the impregnable fortress of Gualior by Major Popham, the surprise of Scindia's camp, the important successes of General Goddard, the peace concluded with Scindia, subsequent to the 5th of April 1779? and was there not at this moment the prospect of a general peace with the Marattas? Mr. Hastings, therefore, upon the honourable General's argument, could not be censured as the author of the war; and as to the conduct of it, from the moment that, according to the honourable General, he became responsible,

responsible, success had ensued, and he consequently merited panegyric instead of censure, and reward in the place of dismissal.

The hardships to which Mr. Hastings had been subjected were indeed of a peculiar nature. Absent, and therefore incapable of defence, two Committees of the House of Commons were sitting in judgment upon him at the same time, while reports were spread through the public prints, and repeated in every company, that gentlemen serving upon each of these committees were themselves to be appointed to the offices which were to become vacant by their own acts. They had never contradicted the reports, though surely it was incumbent upon them, if false, to have done so, in order to give confidence to the public in their decision, and to have afforded quiet to the minds of those whose characters and fortunes might be affected by their enquiries. The honourable General had been appointed to fill the chair of the select Committee, a circumstance which, to the latest hour of his life, Mr. Dallas said he should mention as unjust and oppressive to Mr. Hastings. The honourable General, Mr. Dallas observed, is himself involved in the politics of India; he was known to possess pre-conceived opinions upon every subject that could come before him, and for years past, he has constantly shewn himself, in the debates of this Court, a most violent enemy to Mr. Hastings's administration. His conduct upon this day must place in the strongest light the impropriety of such an appointment. The Chairman of the Select Committee divests himself of the impartiality of his character; the Judge descends from the tribunal of justice, mixes in the tumult of this scene, and shares the intemperance of this debate.—The Court of Directors, Mr. Dallas continued, themselves pronounced to be criminal, and threatened with the legislative interposition "to correct their mistake," had condemned Mr. Hastings in order to acquit themselves. The General Court had now an accusation before them so vague and so indefinite, that the friends of Mr. Hastings hardly knew how to meet it.—No man had undergone so many, and such severe trials, with circumstances of so much unfairness, as the present Governor General—yet, if it be possible to institute fresh trials, instead of operating as hardships, Mr. Hastings will have reason to rejoice in them. From this bar, let him appeal to the world; from

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this day let him appeal to posterity. The more his conduct is investigated the better will it appear to the general satisfaction, that all the acts of his long and arduous administration have originated in principles of the warmest zeal for the interest of his employers, and in no instance whatever can his character be stained with the imputation of corrupt and selfish motives. One circumstance had been mentioned, by the honourable Commodore, of a nature so cruelly oppressive—he alluded to the noble Lord's Secretary having closeted the Directors separately—that he was sure the honourable Commodore must have been misinformed. Often as the noble Lord, at present at the head of the Treasury, had darted his indignant and pointed Philippics against the noble Lord who lately held the same office for interfering with the management of the Company, for making it the means of patronage, and the engine of corruption, he would never be persuaded that such an interference was to be eluded among the first acts of the noble Lord's own administration. Still less was he disposed to believe, that during the progress of a trial, upon the event of which was at stake, what is generally held most dear and valuable among men—liberty—character—public esteem—peace of mind—the noble Lord would tamper with the judges, flatter and soothe their passions, or flatter their hopes. But if it were possible the noble Lord could be guilty of such conduct, Mr. Hastings was perfectly safe in the chosen probity and invulnerable disinterestedness of the Court of Directors. There was an man behind the bar whom any favours from Government could induce to resolve opinions deliberately formed, or to retract promises solemnly given. Had the Secretary to the noble Lord presumed to address them upon such a subject, they would have heard him with a degree of indignation best expressed by their silence, and the precipitancy of their retreat. Should however even this dependence find Mr. Hastings's last resource is in the General Court. Here is his strong hold, his place of safety—the fortress into which, on the day of danger, he may retreat, and bid alike defiance to the intrigues of the Ministers, and the venality of the Directors. The honourable Commodore, in the beginning of the day, mentioned another report which had reached him, namely, that the Directors were determined to carry their resolution into effect, whatever might be

Be the event of the General Court. An honorable Director, with a considerable degree of spirit and manliness, had immediately risen to contradict the information, adding, that whoever had circulated such a report, had published a libel upon the Court of Directors. — Mr. Dallas observed, that he had no doubt, as soon as he had finished his speech, there would be a contest among the Gentlemen behind the bar who should first contradict this report also; and that in like manner they would declare, whoever had circulated such information had published a libel on the Court of Directors. If, on the contrary, they preserved a sullen silence, the inference, however unfavourable to them, would prove beneficial to Mr. Hastings. The idea of such a confederacy would only render the Proprietors more eager in his defence. They would rather round him in the moment of base desertion, and protect him from audacious power.

Mr. Dallas did not pretend to say that every part of Mr. Hastings's long administration had been free from error. The Rohilla war had already been censured by a General Court, who, even in the midst of their blame, anxious to testify their sense of Mr. Hastings's uncommon merit, in the very vote of censure unanimously relolved, "That they had the highest opinion of his services and integrity, and could not admit a suspicion of corrupt motives operating on his conduct, without proof." — The Legislature, by repeated acts passed subsequent to the Rohilla war, have passed their opinion upon it, by continuing him in the high office of Governor General. — With respect to the withholding the tribute payable to the King and the stipend to Nudjif Cawn, without examining, in the detail, into the justice of either measure, Mr. Dallas would only observe, they had both received the sanction of the Court of Directors, a sanction he would be bold to say, notwithstanding the resolution of the Secret Committee, to be vindicated upon principles of the soundest policy, and reconciled to the general practice of nations. But it was necessary also to consider what degree of merit Mr. Hastings possessed. When he was appointed, in 1772, to the Government of Bengal, the Company's affairs were in a very embarrassed and desperate state. Their expenses exceeded their revenues; their bond debt was immense; profusion and ex-

travagance pervaded the government, reduced from various causes to the greatest distress. Mr. Hastings's uncommon abilities and exertions in a very short time gave the most favourable turn to affairs, and he was conducting them in the most prosperous manner when the act of parliament passed in the year 1773, appointing General Clavering, Colonel Monson, and Mr. Francis, to be members of the Supreme Council. That act he should always consider as having been attended with very pernicious effects to the Company's interest, from the dissensions and distraction it necessarily introduced into the public councils. From the moment these Gentlemen landed in Bengal, till the moment of Mr. Francis's departure for England, an unremitting opposition to every measure proposed by Mr. Hastings, prevailed. Mr. Francis's great abilities, as the honourable Commodore had observed, proved in the strongest manner, the astonishing powers of Mr. Hastings, who, with such a drag-chain upon his administration, could act as he had done. How much such an opposition must have weakened all the public efforts, the learned Lord who presides in the chair of the Secret Committee must be well aware, who has uniformly ascribed the failure of all the plans of his favourite Administration, to the violent and unceasing opposition they received. Even when the attack was proposed upon Scindia's dominions, which has turned out so successfully, it was opposed in the strongest manner. The honourable Commodore has informed the Court, that Mr. Hastings then offered to stake his life upon the event; and there is a further circumstance attending his conduct upon that occasion which redounds too much to his honour to be passed over in silence. When the extraordinary expences which would attend the expedition was urged as an objection to it, Mr. Hastings, without any personal interest in the event, but from pure zeal for the welfare of his employers, materially concerned, as he wisely judged, upon the occasion, offered to contribute two lacks of rupees from his private fortune, to defray the extraordinary expence, if the Court of Directors should object to it. The Governor General of Bengal, who, after thirty years of arduous service, during twelve of which he has presided in the highest office of India, if he were to return to-morrow to this country, his rank in life considered, would return poor in every thing, except the testimony of his conscience, the applause of

his constituents, and the affection of his friends—instead, like former servants of the Company, of plundering the people of that country to corrupt the people of this, offers to sacrifice a very considerable part of his private fortune, that the general good may not be impeded, and only computes his wealth by the public prosperity.—Where is a similar instance to be found? And are the Proprietors now called upon to dismiss such a man from their service, upon loose, and vague, and general accusation, unsupported by any proof; on the contrary, wherever proof had been attempted it had notoriously failed.

Mr. Dallas remarked, that it would be unnecessary to add to the observations which had already been made upon the extreme impropriety of removing Mr. Hastings at such a juncture, even if causes might exist for it at another time, in the midst of wars and negotiations, and at a period when the accounts from India proved of a most favourable nature. That he had not forfeited the confidence of the natives, appeared from the conduct of the Nizam and the Vizier. A peace had been concluded with Madajee Scindia; hostilities had ceased with the Marattas, and Mr. Anderson was confident of success in negotiating a general peace with them; unanimity prevailed in our councils; success attended our arms; resources had been found, and applied to the public exigencies, contrary to the confident assertions of Mr. Hastings's enemies, and even far beyond the expectation of his most sanguine friends. From his long and arduous service, he must possess, in a superior degree, experience in the management of the Company's concerns, an intimate knowledge of their resources, and a general acquaintance with the views, interests, and relative situations of the different powers throughout India; and in the discharge of his public duty he had manifested great ability, indefatigable attention, unabated zeal, and incorruptible integrity. To remove him, at the present moment, must produce immediate confusion, and might prove the cause of lasting detriment to the Company's affairs. Mr. Dallas therefore concluded, with giving his hearty assent to the honourable Governor's motion.

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Mr. Baring followed Mr. Dallas. He allowed Mr. Hastings to possess very great abilities, and to have been a valuable servant of the Company. He said he could not forbear remarking that obedience to orders had been a striking part of his character; that in acting contrary to orders he had been often right, and sometimes wrong. He said he had, as well as others, been much dazzled by the late accounts from India, and in particular by the Lacedemonian epistle, as the Honourable Governor had justly called it, for every word in it was a sentence; but when he came to read it attentively, he did not conceive it conveyed accounts so very favourable. The Governor General had talked of remitting Five Lacks monthly to Madras by bills; but Five Lacks would not pay the expence of the army. He talked of uniting the Marattas, Moodajee Boosla, and the Nizam, against Hyder. How was that possible, when it was a part of his intention to wrest certain territories from the Nizam, and to give them to the Raja? This he wished to have explained.

Major Scott rose to explain. He said he could not suppress his astonishment at the case put by the worthy Director. What! was it absolutely necessary that Mr. Hastings, in 1782, must offer the same terms to Moodajee Boosla as he had proposed to treat upon in 1778, when our political system was so totally different? That the fact might at once be cleared by a reference to Mr. Chapman's instructions: it would then be seen that peace with all the Marattas was the first great object, and the next an alliance with them, the Nizam, and the English, against Hyder Ally and the French.

Governor Johnstone replied also to Mr. Baring. He observed, that the worthy Director was too good a merchant not to know that as such considerable sums had been exported in specie to Madras from Bengal, the necessity of sending cash to a great amount must lessen every day. The case was the same in America. We had, at the commencement of the war, sent over large sums, and now all remittances were negotiated by bills. Mr. Hastings does not assert that Five Lacks per month shall be all the supply he will send.

Mr. Baring rose again. He did not quite agree with the Honourable Governor, he said. He then observed that the French had taken the man from his retreat to send to India, who appeared to be best acquainted with the views, the interests, and the languages of the native Princes of India: that they had sent him out with full power to act as circumstances might direct. Of Mr. Hastings, he observed, that, like a great statesman now no more, he seemed determined not to be responsible for measures which he was not allowed to guide. Whether Mr. Baring assigned this as the only reason for recalling him, or added some other, we cannot perfectly recollect, as he spoke very low.

Governor Johnstone rose again. He wondered, he said, that a worthy Director should, in his place, acquaint his constituents with one breath that the French had sent out the man best acquainted with the language, manners, and customs of the natives; and in the next declare his assent to recall Mr. Hastings, who certainly possessed, in a very superior degree, all the qualities requisite to oppose to so able a man as Mr. Buffy. There was a degree of folly in the idea of recalling Mr. Hastings after such a declaration of the wisdom of our enemies, as perfectly astonished him. The worthy Director observed that Mr. Hastings, in one instance, acted like a late great statesman. There were indeed many features in the character of that great statesman and Mr. Hastings perfectly similar, and he trusted posterity would do equal justice to both. He remembered when a pamphlet was published and circulated through the kingdom with great industry, to vilify the German war; every opprobrious epithet was bestowed upon it. A man was brought into the House of Commons to attack the great statesman upon that head; though every person now applauded the wisdom of it, and lamented that at this moment we had not a German war. So it was with Mr. Hastings. In what terms had the march of our troops across India been mentioned? yet it succeeded. How had the treaty with the Rana of Gohid; and our invasion of Malwa, been opposed? yet a peace with Madajee Sindia was the consequence. The Governor insisted upon it, that the late intelligence gave us the fairest hopes of peace, nor was there any thing in the Bombay letters to contradict it.

Mr. Plumer rose, and said,

It is not my intention at this late hour, and after the subject has been so much exhausted, to fatigue the Court with discussing at large the merits of the Governor General: I rise only to take notice of one or two of the arguments adduced, from behind the bar, in support of the resolutions of the Court of Directors for his removal, which are now under consideration, and to which I mean strictly to confine myself.

The reason given by the worthy Director who spoke last (Mr. Baring) for his support of those resolutions is, the Governor General's disobedience of the orders of the Directors. Yet the same gentleman immediately subjoins an admission, which must operate to suspend any determination upon so vague and indefinite a charge, viz. that those orders have been in many instances directly contradictory. Where orders are sent out directly repugnant to each other, it is impossible for those, to whom they are address'd, if they act at all, not to fall under the imputation of a disobedience of orders. Till therefore the particular instances of disobedience are specified, and all the orders of the Directors upon the subject are examined, together with the whole state of the case, and the reasons given by the Governor General for his conduct, no fair and accurate judgement can be pass'd upon it. Neither is it strictly to the present question to enter into a disobedience of orders generally, that being no part of the charge on which the removal is founded. The crime imputed to Mr. Hastings by that charge, as far as it can be ascertained with precision, from amidst the loose and splendid verbage, in which it is involved, is this, that Mr. Hastings has, in direct violation of the orders of the Court of Directors, involved the Company in unnecessary and complicated wars, productive of the most ruinous and distressful consequences. This is the kind of disobedience charged, and to this therefore the argument and the proofs ought to be confined. Now, it has been admitted by the accusers of Mr. Hastings, that the only war alluded to in these resolutions is *that* with the Marattas. It is also admitted, that that war originated in the treaty with Ragoba, and the seizure of the island of Salfette. The argument is reduced then to this plain question of fact, Did Mr. Hastings originally undertake or advise those

those measures, or did he afterwards pursue them, in opposition to the orders of the Court of Directors? These are matters of historical fact, of which the records of the Company afford clear and undeniable evidence; and from that evidence it appears manifest, that the charge is directly falsified in both its parts. The sole original authors of those measures were the presidency of Bombay, urged by the anxious wishes so often expressed in the orders of the Court of Directors for obtaining the object of them, but without the least privity or knowledge on the part of Mr. Hastings. The opinion he entertained of the folly of those measures, and the fatal consequences they were likely to produce, appears from the minute he entered, as soon as the intelligence reached Bengal, upon the 31st of May, 1775. The whole of the minute ought to be read. The Secret Committee of the House of Commons, in their 5th report, page 72, give this abridgment of it: "He (the Governor General) avowed himself to condemn the conduct of the President and Council of Bombay in making this treaty (the treaty with Ragoba) as *unreasonable, impolitic, unjust, and unauthorized*, because it had been attended with no decisive effects, but was likely to create an indefinite scene of troubles throughout India. He expressed an equal disapprobation of the manner in which the prosecution of the measure had been commenced, and therefore would *protest against the treaty as invalid, and the war as impolitic, dangerous, and unauthorized*: but at the same time he confessed his doubts about the most adviseable method of correcting the mischief, amidst such a variety of probable contingencies, and under a total ignorance of their plan of operations." After proceeding to state his plan, he observes, that "he offers these opinions with these exceptions, because in this unfortunate dilemma he saw no option but that of the least evil."—Mr. Hastings's condemnation of the war was not express in words only; he immediately took the most effectual method for putting a speedy termination to it, by deputing Colonel Upton to Poonah with terms of accommodation. How then can Mr. Hastings be accused, consistently with truth or justice, of being the author of a war, the commencement and plan and object of which he so explicitly condemned?—Let us now advert to the conduct of the Court of Directors upon this occasion. Where do their pacific principles, moderation,

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and aversion to offensive alliances, of which these resolutions boast, appear? They immediately embrace with eagerness the plan of an acquisition of territory. The seizure of Salsette, and the treaty with Ragoba, the grand causes and subject of the war, are warmly approved. In their first letter, and every subsequent dispatch from December 1775, to May 1779, in every stage of the war, and in their solemn review of it, these great points are uniformly and obstinately adhered to. Is it an answer to this to adduce, as a proof of the pacific disposition of the Court of Directors, prior orders recommending a general system and line of conduct? Whatever might be their general plan in this instance, they thought it wise to depart from it, and to give a specific and unequivocal sanction to different principles. The inconsistency of such general professions with the conduct that was then pursued, was shrewdly remarked by the ministers at Poonah to Colonel Upton. "They ask me (writes the Colonel) a thousand times, why we make such professions of honour, and disapprove the war entered into by the Bombay Government, when we are so desirous of availing ourselves of the advantages of it."

By directing a perseverance in the treaty with Ragoba, and the keeping possession of Salsette, they virtually directed the continuance of the war; and it was owing to these directions, and the orders sent out to lay hold of the slightest pretence of provocation to break the treaty of Poornunder, that the renewal of hostilities took place.

The Court of Directors therefore were clearly the encouragers and abettors of this war; and if not solely, are principally chargeable with the responsibility of it.—Mr. Hastings has acted throughout only a secondary and subordinate part. His first endeavours, prior to receiving any orders from the Court of Directors, were to negotiate a speedy termination of it; his subsequent ones have been in conformity, and not in opposition to the orders, he received, to prosecute the war with success. In both instances he stands entirely acquitted of the charge imputed to him by these resolutions.

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With respect to many topics which have been insisted upon in accusation, I forbear to notice them, because they relate not to the *cause*, but to the *conduct* of the war; which makes no part of the present charge, and which is therefore foreign to the present question.

Other topics have been also introduced, still more foreign to the point. One of them I cannot help adverting to, because so much stress has been laid upon it by the Chairman:—I mean the letter of Mr. Hastings to Lord Macartney.—Before that letter was read, I was very much struck with the representation that was given of its contents. We were told that the principles publicly avowed by the Governor General were, that the Rajah of Tanjore ought not to hold a single rupee, nor a grain of rice, but at the pleasure of the Company. Though I was unable to discover the connection which this letter had with the charge contained in the resolutions before us, for which reason it appeared to me not quite fair to adduce it on a sudden against him at this time, yet I confess I could not help thinking the doctrine held forth in it merited the censure which had been bestowed upon it; and I was equally surprised at the wickedness of the Governor General in entertaining such sentiments, and his weakness in avowing them in a public dispatch.

The reading of the letter has entirely removed all ground both of censure and surprise; and shewn that the meaning of it was misrepresented, by taking the words contained in it separately by themselves, without a reference to the context, the occasion of using them, and the state of the Carnatic at the time this letter was written.—By this partial quotation, the Governor General was made to recommend that universally, which it is now evident he meant should be had recourse to only in the particular case, and under the circumstances, of which he is speaking. The subject of the letter is the distressful and *desperate condition* of the Carnatic, (that, I think, is the phrase) and the means of procuring resources to carry on the war. He speaks of representations having been made to him by the Presidency of Madras, that the re-
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sources of the Carnatic were lost beyond all hope; and that in this dreadful crisis the Rajah of Tanjore had refused to contribute grain to the subsistence of the army, although called upon by the Nabob, his undoubted sovereign, and by the Presidency of Madras, who are, as Mr. Hastings observes, charged with the entire defence of the state, of which the Rajah of Tanjore is a member, and of his dependance. I can scarce offer an opinion in such a case, says the Governor General, which will not appear extravagant in the comparison.

The opinion that he then gives, he expressly limits the application of to the time that the service continues in its *present desperate condition*. We all know to what a state of extreme danger the whole of our possessions in that quarter have been more than once reduced in the course of this war, for want of a temporary supply.—In the beginning of last year, a few months before the date of this letter, Sir Eyre Coote and the army blockaded at Cuddalore, (a place in the neighbourhood of Tanjore) by Hyder Ally's whole force, and all relief by sea cut off by the French fleet then laying off Cuddalore, were reduced to five days provisions, and were afterwards miraculously saved by the French fleet leaving the coast, and permitting vessels to arrive from Bengal with rice and money.

In such an alarming crisis, when the whole country, except what is possessed by the Rajah of Tanjore, is in the hands of the enemy; if that Rajah, so nearly connected with, and dependant upon us, and whose country must be eventually involved in the common danger, either from disaffection, or avarice, or timidity, withholds the necessary supply, having the means in his power, and being assured of a future reimbursement, can any one blame the Governor General for saying, that in such an exigency the Company engaged in the protection of the Rajah's fort and country must not have recourse to compulsory means of relief? The Chairman asks, whether these are principles fit to be held by the representative of a commercial company? They are and must be the principles of every wise power possessed of territories, and engaged in a perilous war in the defence of them. They are principles universally allowed and practised in all nations. State necessity, great public exigency,

emergency, justify the deviation from the strict rules of justice. Moderation in such a moment, however pleasing in theory, cannot be reduced into practice, without the sacrifice of the public safety.—These appear to me to be the sentiments of the Governor General expressed in this letter upon a fair and candid construction of it, and I cannot think them such as, in the least degree, disqualify him for the high office which he possesses.

Mr. Sullivan, late Chairman of the East-India Company, next spoke, and expressed his astonishment at the assertions contained in the resolutions, since the facts stated most certainly never did exist. He affirmed that the Maratta war originated in England; that, many years ago, it was under deliberation with the leading Directors to give up Bombay, on account of the immense expence that attended keeping possession of it; but the excellence of the docks, and the command it gave us of the gulphs, induced them to keep it. The next consideration then was, the acquisition of Salsette and Bassein. These being thought of the utmost importance, the Directors at once approved of the treaty with Ragoba, because it secured them a revenue on the Malabar coast. He then thought the Directors acted right; he thought so still; he avowed his share of the responsibility attending it, and never would shrink from it: neither was it true that the Company had desired no accession of territory in the other parts of India: Lord Clive and Mr. Verelst, with the approbation of the Company, had been long in treaty for the cession of Cultack, by which they would have dismembered the Maratta empire. The orders were founded in wisdom, and the possession of so important a district would be of the utmost consequence. Mr. Sullivan did not mean to cast a reflection upon the Directors for having issued such orders; very far from it; but by the complexion of the present resolutions, it should seem as if the Directors were desirous of shrinking from the responsibility of orders, which he avowed having a share in, and at this moment approved of. With respect to Mr. Hastings, he avowed his regard for him, because he deemed him a wise, faithful, and able servant; and whenever he was recalled, he should tremble for the fate of the Company.

Mr. Sullivan was heard with the utmost attention and applause. The sentiments of so old a Director, though then out by rotation, who had eight times filled the Chair of the Company, seemed to make a very sensible impression upon the Proprietors.

Some desultory conversation then took place, but of no moment to the great Question, which was called for near Nine o'clock.—We are perfectly sensible that in the foregoing imperfect sketches of the different speeches on this important day, we have done justice to none of the Gentlemen who spoke so ably in the course of so long a debate: but the whole was conducted in Court with the utmost propriety and decorum.

When the question had been called for, the Chairman expressed his wish that it might go to a ballot; and Governor Johnstone, and all Mr. Hastings's friends, being very desirous that the sense of the Company should be taken upon it in the fullest manner, very readily consented. But a very singular circumstance followed: Nine names could not be procured amongst the Proprietors. Governor Johnstone very generously signed the requisition himself; and what is, we believe, unprecedented, the Chairman, the Deputy, and many of the Directors, signed their names for the ballot.

P I N I A